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1 things in the queue, then it indicates a page to
2 someone who goes out and physically looks to see
3 what's going on and is there any sort of a
4 problem or anything like that.

5 The time -- the time that it's in the
6 queue is something that is really a part of our
7 operating system, our MVS operating system that
8 just does this management of as things comes in,
9 puts them on a queue to be processed and so on.
10 That's not something that I can measure and
11 associate with whatever LSRs happen to be in
12 that file to be processed. That's my basic
13 problem. That's why I can't capture that in the
14 measurement.

15 MR. SRINIVASA: When you say that
16 the -- your system manages it, does it generate
17 any kind of report to provide you some sort of
18 statistics? Like, for example, you said how
19 many LSRs were in the queue, is that on a
20 particular time that it --

21 MS. CULLEN: And, again, it's not
22 on an LSR basis. This is at a very low system
23 level. This is at a file level. So however
24 many LSRs are in that file, I mean, that kind of
25 gives you -- the logistics of trying to get how

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1 much time that was on a per-LSR basis is
2 literally the piece that I can't do. So that's
3 really my difficulty with it.

4 Do we -- I mean, I think we can take on
5 some -- some type of -- I don't know what I can
6 do to try to assure you that the conversations
7 that we have between the CLECs and SWBT is what
8 is absolutely necessary to keep those systems
9 configured appropriately so that the queues
10 don't build, and that's exactly why we do the
11 file handling that we do with AT&T and you-all
12 is so that we don't have a queue there. We
13 bring them all in and process them at one time
14 so that they're not queued up one after another,
15 waiting for a process. We say, "Let's just take
16 them all in and hit them at one time."

17 So, again -- and that's the optimal
18 situation based on how that particular CLEC is
19 doing business. There are other CLECs that
20 don't do business that way, and there is no
21 particular, what you call -- what we call
22 batching process where we take your single files
23 and pull them into one file. We don't do that
24 for anyone else at this point in time. We may,
25 if someone else wants to send their LSRs that

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1 way, we can do that.

2 So, again, we're talking about
3 configurations here, and that's where, you know,
4 CLECs approach us. You know, as we had talked
5 about on, you know, if they decide they want to
6 send us all their LSRs at one time for a day,
7 then we need to work that out on a CLEC-by-CLEC
8 basis. And my concern is I just -- I -- it is
9 technically impossible for me to measure that
10 time and associate it with an LSR or a CLEC.

11 MS. LAVALLE: So the automatic
12 batching is only occurring on AT&T files because
13 AT&T transmits them as single file transactions.
14 We don't batch at our end. In other words, we
15 don't condense the individual files into a
16 single electronic transmission.

17 MS. CULLEN: No, you don't. But
18 in terms of the other conversation that we were
19 having earlier where we were talking about the
20 sending a whole bunch at a time, that's --
21 that's another term -- that's another term, or
22 whatever, that's often referred to as batching
23 as well where you send all of them at the same
24 time. So it's -- I know it's a semantics thing
25 that we're talking about at this point. But,

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1 no, the process that we have in place for AT&T
2 at this point in time is unique to AT&T. In
3 fact, it's unique to AT&T in this SWBT region
4 only.

5 MS. LAVALLE: Okay. Now, this
6 is -- and this is -- because I want to stay
7 focused on time stamping, if we can, because I
8 think that's where we're trying to get to, is it
9 possible for Southwestern Bell to capture the
10 data on a file basis? Because we were trying to
11 suggest this sort of outside of going to each
12 individual measure, because we had understood
13 that the reason you couldn't capture it, one of
14 the reasons was that you couldn't figure out
15 what it was until you opened it up, and if you
16 opened it up, you would start processing.

17 MS. CULLEN: Well, that's the case
18 on the preorder side. And when we get the
19 picture up there, I can explain that piece a
20 little bit for the EDI/CORBA piece. But for the
21 queuing again, we're looking at this -- and it's
22 a similar situation where we're looking at
23 processing a chunk of work, but I don't have --
24 that piece of processing time in terms of
25 putting it on a queue for a system to pick up

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1 and process is something that is not an
2 application function. Is it not a function that
3 EDI is doing. It is a function that the
4 operating system, MVS, is doing to manage the
5 application.
6 And, I'm sorry. I know this is
7 probably more technical of a discussion than we
8 want to get into, but it comes back to my
9 problem which is I can't measure it and
10 correlate it to anything.
11 MR. SRINIVASA: Well, you know, I
12 think let's move to the diagram that we were
13 talking about.
14 MS. NELSON: Yeah. Let's go back
15 to the diagrams for PM 1 and 2, and then we
16 might get some clarity.
17 MS. CULLEN: Well, let me just say
18 one thing before that. PMs 1 and 2 are a
19 completely different issue.
20 MS. NELSON: Right.
21 MS. MUDGE: Can I ask a question?
22 When might we ask for some clarification as to
23 some agreements that Ms. LaValle and
24 Southwestern Bell referred to? If you'll just
25 give of us some time for that, because I do have

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1 just some clarifying questions about that
2 discussion.
3 MS. NELSON: Well, let's do that,
4 then, before we move on to -- well, I guess my
5 reluctance is, the more information we have with
6 regard to this process, I think the better off.
7 So let's start with PMs 1 and 2, and then we'll
8 move on to getting clarification from other
9 CLECs as to the agreement reached by
10 Southwestern Bell and AT&T.
11 MS. MUDGE: That's fine. I just
12 wanted to make sure that we --
13 MR. SRINIVASA: Right. I think
14 when we go through the diagram probably we are
15 going to run into why it is problematic to
16 capture the queue time for an LSR. That's going
17 to become obvious, too, when you go through
18 that.
19 MS. LAVALLE: Right. And I'm not
20 sure I heard the response on could you do it at
21 a file basis.
22 MS. CULLEN: No. I can't
23 correlate that to anything.
24 MS. LASALLE: But can you capture
25 it?

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1 MS. CULLEN: I don't think so. I
2 don't think I can capture the elapsed time that
3 something is -- that a particular process
4 associated with a particular file is on a queue.
5 MS. NELSON: Okay. Let's go to
6 the diagram. Okay. Has it been distributed to
7 everyone in the room?
8 MS. McCALL: Your Honor, Cindy
9 McCall, MCI WorldCom. Will we come back to PM 5
10 so that I can express some concern about the
11 exclusions on PM 5?
12 MS. NELSON: Yes.
13 MS. LAVALLE: And I want to make
14 sure for AT&T that we were clear that these were
15 just proposals based on agreements reached as to
16 particular features of these particular
17 measures, and obviously everything is subject to
18 larger agreement.
19 MS. NELSON: Right.
20 MS. CULLEN: This is Angie Cullen
21 again, Southwestern Bell. The picture that's up
22 on the overhead is the same picture that y'all
23 have handed out. I don't think it printed right
24 on the handout. If there is a little empty box
25 up there going into "DataGate Production

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1 Servers," and that should say "A" in that box as
2 it does up on the screen.
3 And then under the box that says "C,"
4 there's a little box that's empty on the printed
5 paper, and that should say "D" as in dog.
6 This is -- again, this is the
7 English -- or the mid-level document, the
8 English flow. And all I've shown -- the
9 difference that I've shown here for EDI/CORBA
10 protocol translation is a box that is doing that
11 EDI or CORBA protocol translation prior to it
12 hitting DataGate services where the time stamps
13 now for the transactions are being taken.
14 And I went back and talked to some of
15 my folks back in Saint Louis, and what we would
16 like to propose at this point is a diagnostic
17 measurement on the piece from the EDI protocol
18 to Point A, and from Point B back through the
19 EDI protocol, EDI or CORBA protocol, but we
20 would have to do that at an aggregate level all
21 CLECs, all transaction types, because, again,
22 that EDI/CORBA protocol doesn't know what it is
23 and doesn't care. And, to be honest, we don't
24 want it to know or care because then it has to
25 open it up and it slows down the processing of

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1 the transaction.
 2 So what we would like to do is we can
 3 capture that particular piece there. Again,
 4 this is not a queue. So I want to make sure you
 5 understand that distinction. We're not talking
 6 about a queue process here. We're talking about
 7 a process that's picking up and translating it.
 8 So we can do a diagnostic measure for that
 9 EDI/CORBA to Point A, and from Point B back
 10 through the EDI/CORBA.
 11 There is --
 12 MR. SRINIVASA: So you were going
 13 to report them separately. Let's say from
 14 EDI/CORBA to AT1, the other one, T2, you were
 15 going to add them up and then report it.
 16 MS. CULLEN: I think we want to
 17 show them -- it depends. Likely, it's going to
 18 look the same way, but I want to see them broken
 19 down at least from a diagnostic purpose for
 20 right now. That's how I'll be requesting --
 21 that's how I've requested the data, and then we
 22 can go from there.
 23 And, to be honest, EDI/CORBA, this is
 24 still new stuff. The CORBA stuff is going to be
 25 very fast. And we will break it down both for

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1 point -- you know, from that box to Point A, and
 2 from Point B back through that box, one number
 3 for EDI, one number for CORBA, because it is
 4 slightly different protocols, and the protocol
 5 translation is going to be different. And my
 6 take is CORBA is going to be faster than EDI.
 7 But that's what we would really like to
 8 do. I think that would give everybody the most
 9 information available, but then we would leave
 10 the performance measure piece in terms the
 11 transactions themselves still based at that same
 12 time stamp that we're capturing it at now.
 13 MR. SRINIVASA: Okay. That's for
 14 the app-to-app. So there's no --
 15 MS. CULLEN: Right. No change to
 16 VERIGATE.
 17 MR. SRINIVASA: There's still --
 18 there's an arrow from DataGate to VERIGATE.
 19 That is always there.
 20 MS. CULLEN: That's always there.
 21 But the important thing to know for VERIGATE is
 22 that we are measuring it at the VERIGATE server
 23 level, which we can because of the nature of
 24 what VERIGATE is doing. VERIGATE has to know
 25 what the transaction is, where the EDI/CORBA

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1 protocol translation doesn't.
 2 MR. SRINIVASA: So the VERIGATE to
 3 DataGate, there is no protocol change. Both
 4 have similar structure?
 5 MS. CULLEN: Right. It's all an
 6 internal --
 7 MR. SRINIVASA: Internal
 8 structure.
 9 MS. CULLEN: Yeah.
 10 MR. SRINIVASA: Okay. I
 11 understand that this one does not have, you
 12 know, the SORD shown in here, I mean, to find
 13 out about the queue length.
 14 MS. CULLEN: I'm sorry. The what?
 15 MR. SRINIVASA: The SORD, S-O-R-D.
 16 You know, the queue that we were talking about
 17 just a few minutes ago, where is it going to
 18 be -- the LSR or the file is going to reside?
 19 MS. CULLEN: Oh, that's not on
 20 this picture. That's on a different one.
 21 MR. SRINIVASA: Okay.
 22 MS. LAVALLE: This is just
 23 preorder. Right?
 24 MS. CULLEN: This is just
 25 preorder. This is Measure 1.

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1 MR. SRINIVASA: Okay. Do you have
 2 the other one also which was in that data
 3 collection?
 4 MS. CULLEN: It's on the -- we
 5 have it on overhead, but, I'm sorry, I didn't
 6 print it. I thought we were just going to print
 7 the PM 1. I'm sorry.
 8 Gary, if you'll scroll up to the top.
 9 And this is, again, the document out of the
 10 English flow, and nothing has really changed in
 11 this. This is the exact same -- I didn't make
 12 any modifications to this. I'm sorry. That's
 13 why I didn't print it and bring it, because that
 14 is the exact same thing that is in the mid-level
 15 English flow at this point.
 16 And all we're talking about in terms of
 17 this queue is that prior to the -- for the EDI
 18 where you see the time stamp taken -- and I
 19 can't read this either. At Point A on the
 20 bottom half where you see the A to SWBT EDI,
 21 what we're talking about in terms of this much
 22 discussed queue time is what happens in the few
 23 seconds that that thing has to come in and wait
 24 for a process to be available to process it.
 25 MR. SRINIVASA: When you say

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1 there's a queue, is there a buffer in there
2 which is kept in there, those files? Or how
3 does it work? Do you have -- somewhere data has
4 to be stored.
5 MS. CULLEN: Right. The data is
6 stored on a file. And what happens is that the
7 CLEC will FTP or MDM the file, and the file hits
8 our system, and then the -- upon the file
9 hitting the system, it's an automated trigger.
10 It's not a timed trigger. It's event-driven.
11 So as soon as the file is created, the job is
12 kicked off to bring that data into the system.
13 What we're talking about is any time that that
14 job is waiting to be processed by the MVS system
15 before we can take the time stamp.
16 MR. SRINIVASA: So all of these
17 files, if the system is not available for that,
18 if there are a large number of volumes, or you
19 have some processes that are going on it cannot
20 go through right away, what I'm trying to find
21 out is when you say queue, to me, these are data
22 bits, streams. It's got to be stored in a
23 buffer, and how do you size the buffer?
24 MS. CULLEN: Well, the data itself
25 is in a file. What we are submitting is the

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1 request for the processor. So we've submitted a
2 JCL, a job control language stream that says to
3 the processor, "I have this job, this file that
4 I need to process." So those -- it's not like
5 we're going to run out of room and you can
6 have -- I don't know, to be honest, of any limit
7 on the number of jobs you can have out there.
8 MR. SRINIVASA: Or number of
9 files, in other words.
10 MS. CULLEN: For the number of
11 files waiting to be processed. So -- and keep
12 in mind, a CLEC-by-CLEC has its own job that
13 it's kicking off.
14 MR. SRINIVASA: So none of these
15 files get discarded. They are in there. They
16 are stored. But before --
17 MS. CULLEN: We're not losing --
18 MR. SRINIVASA: -- they get to the
19 front of the line --
20 MS. CULLEN: We're not talking
21 about losing any data here at all.
22 MR. SRINIVASA: Oh, okay. So it
23 is first-in, first-out?
24 MS. CULLEN: Yes.
25 MR. SRINIVASA: Okay. So, if

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1 there are too many of them, apparently, it is
2 held in a sequence.
3 MS. CULLEN: Yes. They would be
4 held in sequence if -- if there was any kind of
5 backup in the -- first-in, first-out, that's how
6 they would be processed.
7 MS. LAVALLE: Just one queue.
8 MS. CULLEN: Well, there is --
9 there are multiple queues, but they are all
10 managed as a -- as a single -- so, essentially,
11 yes, one queue. Just for simplicity sake, yes.
12 MS. LAVALLE: Because we had
13 gotten feedback back in the summer when orders
14 were rejecting, coming back, but the problem was
15 that Southwestern Bell had configured our queue
16 to anticipate smaller lines.
17 MS. CULLEN: Well, that's the file
18 handling, and the file handling is unique by
19 CLEC. The processing queue for processing the
20 transactions is one thing. So, if you will,
21 it's kind of a many -- you've got the file
22 receipt part being handled, and then the putting
23 them into the queue part.
24 MS. LAVALLE: Could you take us --
25 I'm sorry. Go ahead.

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1 MR. DRUMMOND: This is Eric
2 Drummond on behalf of the CLEC Coalition. So
3 when you say that the file handling is
4 associated with a particular CLEC, are you also
5 saying that it's sized to a particular CLEC? I
6 mean, what about is it associated with a
7 particular CLEC?
8 MS. CULLEN: It's a file name.
9 When you're transmitting to us, you transmit to
10 a certain name, and those names are unique by
11 CLEC.
12 MR. DRUMMOND: So other than the
13 name, are there any other parameters associated
14 with that file?
15 MS. CULLEN: No. That's just how
16 we keep everybody separate is by the file name
17 that they're getting.
18 MR. SRINIVASA: File names are
19 unique to individual CLECs. Either they're tied
20 to their ACNAs or somewhere it's tied to the
21 CLEC.
22 MS. CULLEN: Yes. They are unique
23 to the CLEC.
24 MS. LAVALLE: Two follow-up
25 questions, Angie. The first is, AT&T sends an

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1 individual LSR file at 8:00 a.m. Behind us is
2 an M -- is a CLEC ABC file that's done on an
3 MDM.
4 MS. CULLEN: Uh-huh.
5 MS. LAVALLE: And it's got a
6 thousand files in it. Okay. And that's sent at
7 8:05. At 8:10, AT&T sends another one of those
8 single file transactions. Is it still first-in,
9 first-served so that we're now -- the second
10 order is now 1,002?
11 MS. CULLEN: Yes.
12 MS. LAVALLE: And then can you
13 just take us through -- the gateway has opened
14 up. It's, you know, a brand new day, and there
15 are 20,000 files, or the equivalent thereof in
16 terms of LSRs. Forget how many files because of
17 the different protocols folks use. Tell us what
18 happens as orders back up in the queue.
19 MS. CULLEN: What we're talking
20 about in that scenario is if the EDI system
21 comes up that we'll look to see if there's files
22 out there that it has to process if it has not.
23 It will go out there, pull them in in the order
24 they were sent and begin loading them into the
25 system to be processed. If there are 20,000

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1 orders waiting for it at 7:00 in the morning, at
2 7:02 someone else sends something, at 7:02, that
3 one will have to wait until those 20,000 sitting
4 there will be processed.
5 MR. SRINIVASA: Let me ask you
6 this: Now, CLECs that are sending in these
7 orders, you know what time you sent them, right?
8 You do have a time stamp when you send it out at
9 your end. Okay. And you know when you get the
10 FOC back. Okay. And then you know what they
11 reported for the FOC.
12 So if there's a difference between what
13 you have in your internal measure and what they
14 report, would you say that that was because of
15 queue?
16 MS. LAVALLE: The actual LSR
17 itself -- Julie, jump in when I get this wrong.
18 The actual LSR itself does not have as a
19 required field the time stamp of when the LSR
20 is received over the interface. What we're
21 trying to get to is a set of common data being
22 self-reported so that we're not in a
23 disagreement about, "Oh, we show it took us, you
24 know, six hours to get the FOC back. You're
25 showing it as five hours to get the FOC back."

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1 So what we're trying to get to is a common
2 language where we can both observe the
3 performance using common parameters.
4 MR. SRINIVASA: Right. And what I
5 heard from her is, for her, they cannot capture
6 the LSR time when it is there in the queue, the
7 start time and the, you know, stop time. They
8 cannot. Apparently, after it reaches the
9 system, that's where they time stamp it, and
10 then that's when the time starts. Is that
11 correct?
12 MS. CULLEN: Correct.
13 MR. SRINIVASA: When it reaches
14 the system of the SORD. Okay. Prior to that
15 you can't.
16 MS. CULLEN: Right.
17 MR. SRINIVASA: Okay. Whereas you
18 know when you generated it.
19 MS. LAVALLE: Yeah, but there's an
20 all-CLEC basis that factors in here. It's not
21 just individually --
22 MR. SRINIVASA: No, no. For
23 diagnostic purposes, the reason why I was
24 getting to this is to find out, you know, what
25 is the average queue length. If you're using

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1 that for the diagnostic purposes, can this be a
2 cooperative effort to see exactly what the queue
3 time is?
4 MS. LASALLE: Go ahead.
5 MS. CULLEN: I'm sorry. This is
6 Angie Cullen again, Southwestern Bell. The only
7 clarification that we need to make there is many
8 CLECs hold their LSRs for some period of time.
9 So that last stamp, or whatever, on that LSR
10 when we see it, may be hours or even days old.
11 That's very common that we see that. So we
12 can't necessarily go with the time that it went
13 through their system to be processed because
14 there's a delay there.
15 MS. LAVALLE: And that's the
16 reason we're saying we don't want to get into --
17 I mean, if some CLEC is doing that, we don't
18 want to get into what unique stamp did a CLEC
19 put on its file.
20 MS. CULLEN: Right.
21 MS. LAVALLE: What we're trying to
22 get to is obviously from a scalability
23 standpoint, Southwestern Bell has got to know
24 what the backup is causing in the way of delay
25 of getting presented to the MVS processor. And

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1 we just need to come to some way where that can
2 be collected. We've had lots of performance
3 measures issued where the data was not readily
4 collectible when we started this process. I
5 think Randy can probably agree with that. And
6 what we've had to do is build in capability to
7 capture the information that's needed.

8 So we would prefer on a LSR basis that
9 it correlated against volumes that are being
10 processed, but at a very, you know, sort of
11 primitive or basic level. Since it's the files
12 themselves that apparently are easier to track,
13 you know, what we'd look for is to see if they
14 couldn't institute some kind of measuring
15 capability on a file basis so we can get our
16 hands around what the queue wait time is.

17 MS. CULLEN: I would have to
18 take -- I would have to take that back. I'm not
19 an MVS expert.

20 The other thing I wanted to make sure
21 that it was very clear is this is only coming
22 into the system. Going out, that last time
23 stamp is taken as we're -- as we've sent it,
24 FTP'd it, sent it back out the door. So this is
25 only an issue coming in.

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1 MR. SRINIVASA: Coming in means
2 from the CLEC to --

3 MS. CULLEN: Right. It's not
4 going to be on the outbound.

5 MR. SRINIVASA: Outbound, there's
6 queue because if their system is not turned
7 on --

8 MS. CULLEN: We will attempt to
9 send it again later, but we're taking that time
10 stamp when we make it available to them.

11 MR. SRINIVASA: Okay.

12 MS. LASALLE: And we understand
13 that's a separate issue.

14 Angie, when you do the first-in,
15 first-processed, I mean, are you -- how do you
16 term the first in? I mean, are you taking a
17 time stamp that gives you a ticket in line?

18 MS. CULLEN: Well, because it's
19 event-driven, as soon as the file hit, as soon
20 as the file is received, the file triggers the
21 process. So if a file hits and that file is
22 complete, then it will immediately trigger the
23 process to schedule the job. If -- so that's
24 how it has worked. It's not sorted in any way.
25 It's a trigger.

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1 MS. NELSON: But what if the file
2 hits and there's other -- if one file hits and
3 then there's another file right behind it, and
4 then several others come just in quick
5 succession before the other two have cleared,
6 and then several more come, how are they
7 ordered? I guess that's the question.

8 MS. CULLEN: As soon as the file
9 is successfully received, we trigger it, and it
10 will go whatever -- however -- to whatever
11 nanosecond level the processor can manage that,
12 which is always very fast. That automatic
13 triggering is --

14 MR. SRINIVASA: It's sequential.
15 It's never parallel. It's always sequential.

16 MS. CULLEN: No. As soon as the
17 one is triggered, it doesn't matter how many are
18 in front of it, it will put another request in
19 the job queue.

20 MS. NELSON: Okay.

21 MS. LAVALLE: And then other than
22 impacting what Southwestern Bell would report on
23 time to return -- or maybe it doesn't even
24 affect that. What I'm trying to figure out is
25 when AT&T sent orders on a quicker basis than it

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1 had historically, we were told that it was
2 impacting the ability to process orders. And if
3 that's accurate, then, you know -- if it's not
4 accurate, let me know. But I'm trying to figure
5 out how from the way you just described it,
6 you've simply got orders lined up sequentially
7 ready to hit the MVS processor when it's
8 available, then how would it -- and you're not
9 even time stamping it until it gets to that MVS
10 processor -- how could anybody sending a zillion
11 orders cause performance time to reflect worse
12 than it otherwise would? Is there a processing
13 load and impact for the mere fact that there are
14 a number of files sitting in the queue?

15 MR. SRINIVASA: I think you're
16 getting to the process capability, you know, can
17 it handle how many fast, how many nanoseconds
18 does it take to process each one?

19 MS. CULLEN: What we're getting
20 to --

21 MS. LAVALLE: What we're trying to
22 figure out, Nara, is whether we need to
23 correlate this batch rate time with other kinds
24 of performance issues, because if it actually
25 has an impact on your processing capability, if

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1 it's putting a load on the system somehow to
2 have these -- to have this workload in the
3 queue, then something else I think we would want
4 to look for on a diagnostic basis as a
5 correlation between those two data points.
6 MS. CULLEN: Placing a work in
7 queue is not a load on the CPU. The issue that
8 we've had all along with this has nothing to do
9 with the CPU's ability to process the data.
10 What we're talking about is the efficiency and
11 the configuration of what's the quickest way to
12 get X number of orders processed in the shortest
13 amount of time. Every time you open and close a
14 deal with a file, you incur system overhead.
15 What we have done, and what we -- with how we're
16 dealing with AT&T's orders is minimize that
17 overhead by taking a separate process, bringing
18 them all in together, and then presenting that
19 as one group to be processed to the EDI
20 translator process.
21 So what we're doing again is it's all
22 configurations. It doesn't have anything to do
23 with the capacity of the machine. We're trying
24 to maximize the efficiency of the process by
25 minimizing the overhead that goes along with how

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1 we deal with the files and the LSRs.
2 MR. SRINIVASA: This configuration
3 is automatic. Is that --
4 MS. CULLEN: Well, no. Some of
5 the -- the configurations, like, for example,
6 that we set for AT&T, that had to be
7 specifically architected. For everything else
8 that comes in and is just dealt with in a, you
9 know, couple hundred LSRs at a time, that just
10 goes through. That doesn't need any special
11 configuration.
12 Where we will need to do special
13 configuration is if someone says, "I'm going to
14 send you 10,000 or 20,000 or 60,000 restores at
15 the first Monday at 7:00 every" -- you know,
16 "the first Monday of the month at 7:00 in the
17 morning, I'm going to send you 20,000 suspends."
18 That's the type of thing that we need to have
19 some kind of configuration to make sure we
20 handle that appropriately. If we don't know
21 that's coming, everybody else is going to sit
22 behind that process while it goes through the
23 queue. And, again, that -- that's a discussion
24 for another day, I understand that. But that's
25 the type of things that we're talking about when

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1 we're talking configuration.
2 The MVS processor really doesn't care.
3 It's going to take whatever workload is there,
4 and it's going to give high priority to anything
5 that's on-line real time or anything that's hot
6 batch, which is what all of this stuff falls
7 into. So we're not really concerned about the
8 load to the processor. We're concerned about
9 the configuration and the optimization of the
10 EDI processes that feed the -- that feed the
11 processor.
12 MR. KAGELE: This is Tim Kagele
13 with Time Warner. It seems to be for us non-OSS
14 people that we're sort of getting off the focus
15 of the queue. I mean, to me, it's one of
16 process, and where we place the time stamp. If
17 we place the time stamp at the time the packet
18 enters the queue and measure it upon delivery at
19 Point B, that's the total turnaround time. And
20 I think we have to get together on from a
21 process standpoint, is that the right way. But
22 if that is the right way, then you're subject to
23 everything that lines up in the queue because
24 data is processed sequentially.
25 So do we put the time stamp at the

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1 point that it enters the queue, or do we put it
2 at the point that SWBT has it now? And I
3 certainly appreciate the problem, but it seems
4 it's more one of process to me and that we're
5 being somehow -- CLECs that don't batch their
6 files in the way that was described by
7 Southwestern are being penalized somehow by
8 those CLECs that do. That seems to be the
9 dilemma to me.
10 MS. NELSON: Can you time stamp
11 when it enters a queue?
12 MS. CULLEN: No. That's not a --
13 MR. SRINIVASA: Apparently the
14 files -- the LSRs are not broken down.
15 MS. CULLEN: Right. And, again,
16 if the -- if everyone has -- when we're talking
17 about a normal job to process through an MVS
18 processor to process several hundred
19 transactions, we're still not talking about a
20 lot of processing time there, and we will time
21 stamp it as soon as it hits there. The only
22 piece that we can't capture is any time that it
23 sits on a queue. And, again, the only time it
24 would sit on a queue is if there is something
25 that we're not expecting in terms of this

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1 configuration. We can configure so much of this
2 stuff to make sure that things do not build up
3 in the queue, and what we typically see is they
4 don't.

5 We had a situation where we had this
6 with AT&T last summer and we reconfigured and we
7 haven't had problems with this. So --

8 MR. SRINIVASA: You said that you
9 monitor it. You know, say, for example, you use
10 one configuration, and apparently while
11 monitoring you found out, oh, there is a large
12 number of files in the queue. Apparently, you
13 try to go back and reconfigure it to minimize
14 it. Isn't that the purpose of monitoring to see
15 whether you configured it optimally or not, or
16 if you need to change the configuration to make
17 it optimal?

18 MS. CULLEN: Right. That's what
19 we have got -- had to do is we monitor the
20 entire -- we monitor everything, but we monitor
21 this entire process to make sure that there is
22 no slowdown before that process hits a
23 processor. It is definitely the way that --

24 MR. SRINIVASA: Monitoring is a
25 manual process. There is no -- say, for

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1 example, in a local area network in Ethernet,
2 you know, you have network management which
3 monitors the package size, how many packages,
4 what kind of delay, it's all reported to you,
5 you know, in a nice format. Is there something
6 similar to that like similar to an SNMP or some
7 sort of management tool which tracks these
8 things for you?

9 MS. CULLEN: To be honest, I don't
10 know exactly what would be available. And,
11 again, we would have to do something that would
12 be specifically related to this process running
13 here. We wouldn't be talking about everything
14 waiting for a processor on the system. We would
15 be talking only about these specific things. I
16 would probably have to go back and do some more
17 research on that. I don't know how we can, but
18 that doesn't mean that it's not somehow
19 possible.

20 MS. LAVALLE: You know, just one
21 last question, Angie. Is there not a connection
22 between the speed of the MVS processor, its
23 response time, its speediness, and how quickly
24 you can clear the queue, how quickly you can
25 present this, its files MVS processor to be

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1 handled?

2 MS. CULLEN: Well, the MVS
3 processor is a very complex animal, and,
4 basically, it deals with prioritization. So if
5 you've got something that's highest priority, it
6 will take up every bit of the processing
7 capability that that huge mainframe processor
8 has. So the fact that it's -- there are more
9 things waiting for that are irrelevant to that,
10 but the processor speed certainly does have an
11 impact on how quickly it can process that, but
12 that's managed through an entirely separate
13 process.

14 MS. LAVALLE: Yeah. I just wanted
15 to make sure we weren't talking past each other
16 when you say, you know, it's never a capacity
17 issue. Obviously, the speed of the MVS
18 processor will have an impact on how quickly you
19 can clear the queue. And we just want to get
20 the queue time measured to get at least that
21 process started, and I think that's really our
22 main point.

23 MR. SRINIVASA: Well, you said you
24 were going to take back to see if the file --
25 how long a file is in the queue or something.

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1 MS. CULLEN: I will take that back
2 and see if there is any way that we can measure
3 a job on a queue to see if there is any way we
4 can assess any metric. Again, I know for a fact
5 that I won't be able to get it at an LSR level.

6 MR. SRINIVASA: This is for
7 diagnostic purpose at this point in time. Also,
8 another thing that I was interested in is that
9 you stated that you monitor, sometimes you may
10 have to reconfigure it to make it more optimum.
11 How often do you do that in a month? And at the
12 time that you do it, how many files were there,
13 if you can take a note of that.

14 MS. CULLEN: The specifics, I --
15 the specifics scenario that we're really dealing
16 with is we hit configuration issues only when
17 something out of the unexpected happens. We do
18 watch the configurations all the time, making
19 sure that we don't have any volume issues. But
20 unless something unexpected happens, we
21 typically aren't going to adjust our
22 configurations. Our architecture is set in a
23 certain way to deal with things on an
24 event-driven basis.

25 MR. SRINIVASA: Are there any

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1 alarming events? Does it generate some sort of
2 alarm for you that there is an overflow?
3 MS. CULLEN: There are some things
4 that we can monitor with automated processes
5 that will alarm and will page the people who are
6 on call, a failure to respond to a heartbeat
7 type of message that we definitely do and use
8 and monitor on the systems.
9 MR. KAGELE: This is Tim Kagele,
10 Time Warner Telecom. I have one more question.
11 Does Southwestern's data affiliate go through
12 the same process that other CLECs do --
13 MS. CULLEN: Absolutely.
14 MR. KAGELE: -- on PM 1?
15 MS. CULLEN: Absolutely.
16 MR. KAGELE: And is that data for
17 the affiliate reported under Metric No. 5 -- or
18 Metric No. 1?
19 MS. CULLEN: It would --
20 MR. DYSART: Well, this is Randy
21 Dysart. You're talking -- we're talking PM 1 or
22 5?
23 MR. KAGELE: I'm talking 1. I'm
24 sorry.
25 MR. DYSART: Well, at such time as

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1 if they start doing those type transactions,
2 we'll be able to do that. Right now I think for
3 the most part the only transactions that we will
4 be doing are the ones associated with DSL. But
5 if at any point in time they start doing TNS,
6 request for TNs and stuff like that, yeah, that
7 will be reported.
8 MR. KAGELE: Did we clarify that
9 in the reporting structure under Metric No. 1?
10 MR. DYSART: Well, I --
11 MS. CULLEN: Well, right now --
12 MS. NELSON: I think we're going
13 to do DSL tomorrow.
14 MS. CULLEN: In terms of the EDI
15 ordering, as ASI would send in orders via our
16 EDI interface, they would be right in there with
17 everybody else.
18 MR. COWLISHAW: Can I just
19 confirm, Angie, that looking at that diagram, is
20 that from the -- it was about last September
21 version of -- the actual, the mid-level document
22 that was filed with the Commission and had
23 comments pending?
24 MS. CULLEN: Yes. I think that's
25 it.

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1 MR. COWLISHAW: There hasn't been
2 an update since?
3 MS. CULLEN: I don't think so. I
4 think that's the latest version.
5 MR. SRINIVASA: Wasn't this
6 included as part of J -- Report J?
7 MR. COWLISHAW: I don't think --
8 MS. CULLEN: The verbiage -- the
9 verbiage is --
10 MR. SRINIVASA: The verbiage was
11 included.
12 MS. CULLEN: The verbiage is in
13 some cases from Attachment J, but the principle
14 is typically captured in the Attachment J as
15 well. The diagrams were not.
16 MS. NELSON: Did you have a --
17 MS. LAVALLE: Can we scroll and
18 see what it says, Angie, on the time stamp or
19 projections?
20 MR. CULLEN: For which one?
21 MS. LASALLE: The one you're on
22 right now, the EDI order, PM 5, just to scroll
23 down on that page so we can see what it says
24 about where the time stamps --
25 MS. CULLEN: Gary.

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1 MS. LAVALLE: Can you just point
2 us to, Angie, where the time stamps are.
3 MS. CULLEN: For? I'm sorry.
4 MS. LASALLE: Where the time stamp
5 was applied on the inbound transactions for
6 Southwestern Bell. It says it applies to Point
7 A.
8 MS. CULLEN: Right.
9 MR. COWLISHAW: You see the list
10 of activities before the time stamp? I don't
11 know if that captures everything we've been
12 talking about.
13 MS. LAVALLE: I'm just trying to
14 figure out if we're talking about something
15 different than is in the mid-level document,
16 because A looks like it's before the MVS
17 processor.
18 MS. CULLEN: Well, it's on the MVS
19 system. It's -- it wasn't meant to show before.
20 It was meant to show there at the -- at the
21 processor.
22 MR. SRINIVASA: A separate box was
23 drawn for clarity.
24 MS. CULLEN: Uh-huh. Just to show
25 the point.

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1 MS. NELSON: Okay. Let's -- MCI,
2 did you want to make your comments on 5?
3 MS. McCALL: Oh, with regards to
4 the exclusions, not necessarily to the diagram.
5 MS. NELSON: Does anybody have any
6 additional questions on the diagram for 5?
7 (No response)
8 MS. NELSON: We need to go back to
9 1 and look at 1 and 2.
10 MR. KAGELE: This is Tim Kagele,
11 Time Warner Telecom. I'm not clear where we
12 are, what we decided with where the time stamps
13 go for both Drawings No. 1 -- for Metric No. 1
14 and Metric No. 5.
15 MS. NELSON: Okay. I think on
16 metric -- on PM No. 5, the time stamp starts
17 after the queue time.
18 MR. SRINIVASA: Right where it
19 hits the SORD.
20 MS. NELSON: And we're checking --
21 Southwestern Bell will check into whether or not
22 it's possible to measure the time, not on LSR
23 basis but on a file basis prior to that time to
24 somehow measure the queue time.
25 MS. CULLEN: Correct.

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1 MS. NELSON: That's where we are
2 on 5.
3 MR. KAGELE: There's been a lot of
4 discussion, and I think short of what the
5 agreements were, got lost during the discussion.
6 So I appreciate the clarification.
7 MS. NELSON: Okay. I'm not so
8 sure we have any agreement, except Southwestern
9 Bell is going to go back and check to see what
10 they can do.
11 MR. KAGELE: The takeaways, I
12 should say.
13 MS. NELSON: Right. On PM 1 and
14 2, we need to discuss the overlap on PM 1 and 2.
15 Are you ready to do that?
16 MR. SRINIVASA: Yeah.
17 MS. CULLEN: I'm sorry.
18 MR. SRINIVASA: PM 1 and 2, the
19 overlap, apparently we're going to have both.
20 One is diagnostic and another one is --
21 MS. CULLEN: Right.
22 MS. NELSON: So can we discuss
23 that?
24 MS. CULLEN: Did you want me to
25 summarize that again?

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1 MS. NELSON: No. We just want to
2 look at the drawings and see to what extent
3 there's still disagreement on what should be
4 done. You did 1, but is 2 exactly the same?
5 MS. CULLEN: I'm sorry. On PM 2,
6 the time stamps are taken exactly the same way
7 as they are taken for PM 1.
8 MS. NELSON: Okay.
9 MR. SRINIVASA: Instead of
10 calculating the percentage, they're --
11 MS. CULLEN: You're just
12 calculating the --
13 MR. SRINIVASA: What is the
14 average of the --
15 MS. NELSON: Right.
16 MS. MUDGE: Well, then, I -- I'm
17 sorry. This is Katherine Mudge on behalf of
18 Rhythms. I apologize. I guess I'm still a
19 little lost. Are you saying, then, Angie, that
20 Performance Measure No. 1 on everything would
21 become a diagnostic in Measurement 2?
22 MS. CULLEN: No, no. On PM 1, I
23 believe -- or, well, the earlier agreement was
24 going to become diagnostic and the remedies and
25 everything would apply to 2, but for the levels

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1 of disaggregation on PM 2, the benchmarks and
2 everything would still be there. As a
3 diagnostic, what I said that we would measure is
4 the time from that EDI protocol translation
5 time, what you see in that other box that I've
6 drawn in there, for EDI and for CORBA, the time
7 from that point to Point A, and from Point B
8 back through that point.
9 MS. MUDGE: Under Performance
10 Measure No. 1?
11 MS. CULLEN: 1 or 2.
12 MR. SRINIVASA: Now, apparently,
13 you --
14 MS. CULLEN: Two with the
15 threshold is difficult.
16 MR. SRINIVASA: The benchmark side
17 for the PICC, there was one, you know, that
18 stated that specifically for VERIGATE that we're
19 going to determine it at the six-month level.
20 You are proposing 28 seconds for that, right,
21 for No. 1?
22 MS. CULLEN: Right. We just think
23 that we'll just use the same one that we've got
24 for DataGate. And we didn't make those updates
25 on PM 2 because, again, we were proposing to

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1 eliminate that one.

2 MR. SRINIVASA: MCI was proposing
3 18.9 seconds. What was the basis for that? Can
4 I ask MCI for the PICC?

5 MS. McCALL: Cindy McCall, MCI
6 WorldCom. In both 1 and 2, we were proposing a
7 review basically of looking at the benchmarks
8 again based upon the data that we've received in
9 the last six months or a year. And the reason
10 that we came up with the numbers that we were
11 proposing, we were looking over the last six
12 months and came up with the different averages.

13 But the general comment is that we
14 were -- wanted to understand what the Commission
15 will be doing in the future with regards to
16 changing benchmarks now that we have some data
17 under our belt.

18 MR. SRINIVASA: For VERIGATE, it
19 ranges anywhere from 15.5 seconds on up to 22.8
20 of the reported data. So 18.9 was the average
21 of all?

22 MS. McCALL: This was data that
23 was taken from I believe last June to December.

24 MR. SRINIVASA: Okay. Now, we
25 have August through March. Do we know the

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1 average for that? Apparently, there's no
2 average reported in here.

3 MS. McCALL: But the point that
4 MCI WorldCom would like to make is we were
5 suggesting that perhaps the benchmarks be looked
6 at again given the new data that we have.

7 MS. NELSON: Mr. Dysart?

8 MR. SRINIVASA: What is the
9 average -- and probably you may have -- what's
10 the standard deviation of the reported data
11 there in August through March?

12 MR. DYSART: This is Randy Dysart.
13 For the PICC, and the one we're particularly
14 talking about in the VERIGATE, we don't have
15 that, and I don't have it with me, the standard
16 deviation or the average. Just from a
17 standpoint of -- from a practical standpoint, I
18 guess, if you change the benchmarks based upon
19 some history, inherently I don't have a problem
20 with that. Taking the average is probably not
21 the good thing to do.

22 I don't want to benchmark that we, over
23 half the time, as MCI is wanting on this one,
24 that we would miss. That doesn't seem to be
25 practical. We're making the benchmark of, like,

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1 EDI for 28 seconds. I mean, I think it needs to
2 be a reasonable benchmark that we have a good
3 chance of making, and it gives the CLECs the
4 information in a reasonable amount of time.

5 MS. NELSON: Right. And I guess
6 the purpose of the benchmark is to give CLECs
7 meaningful opportunity to compete. So I guess I
8 would like more information from the CLECs as to
9 whether the current benchmarks are not doing
10 that and the rationale for needing to change
11 them, other than the fact that because to go
12 back and do that kind of comparison -- I mean,
13 it's -- I don't know how you're going to make a
14 cut with the data that you have as to what's
15 appropriate.

16 MS. McCALL: Cindy McCall, MCI
17 WorldCom. May I ask what was the Commission's
18 intent long-term in terms of -- was the intent
19 to always keep the same benchmark?

20 MS. NELSON: No. The Commission's
21 intent was to set the benchmarks at a level to
22 give the CLECs a meaningful opportunity to
23 compete. And if the benchmarks as they're set
24 right now give the CLECs that opportunity, I'm
25 not so sure what the purpose of changing those

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1 benchmarks would be.

2 MR. SRINIVASA: Well, the issue in
3 here is, for this particular one, we did not
4 have a benchmark. We were going to --

5 MS. NELSON: Well, some of them
6 don't have, but most of them do have. So, MCI
7 is suggesting changing many of the benchmarks
8 that are already in the rule, in the PM.

9 MR. SRINIVASA: Right. I was
10 talking about the VERIGATE. They propose 18.9
11 and Bell is proposing 28. And we -- you know,
12 initially what we have stated --

13 MS. NELSON: Right. To be
14 determined. Correct.

15 MR. SRINIVASA: That's what I'm
16 trying to get to to see. Twenty-eight versus
17 18.9. I don't think we have any proposal from
18 AT&T on that.

19 MS. CHAMBERS: Well, I think just
20 to the broader issue -- this is Julie Chambers
21 with AT&T -- is that I think we thought that
22 eventually these measures would end up being
23 parity measures once we moved to EDI/CORBA, or
24 once EDI/CORBA was available, and we're hearing
25 that that's not the case. So I think that

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1 you --
2 MS. NELSON: No. I don't think
3 we're saying that.
4 MS. CHAMBERS: Not from you. I
5 think from discussions with Southwestern Bell
6 that that's not possible at this point. So I
7 think to continue to hold, you know,
8 Southwestern Bell to providing, you know,
9 services actually at a level that they are, you
10 know, exceeding, I mean, in some instances, you
11 know, we need to really have a benchmark that is
12 reflecting what we currently are seeing in
13 the -- in business operations today.
14 MR. DYSART: This is Randy --
15 MS. NELSON: Yeah. I'd like a
16 comment on why parity is not possible for
17 EDI/CORBA.
18 MR. SRINIVASA: Is it that EASE
19 you cannot break it down in the same --
20 MR. DYSART: Well, that's exactly
21 correct. With EASE, we don't -- it's not the
22 same process. EASE does a lot of things
23 differently. As we've discussed before, it's on
24 a screen-to-screen. It has a lot of back. It
25 does things behind the scenes. So we don't

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1 really capture that data. So it isn't -- there
2 is no parity comparison. And, you know, from
3 our standpoint, I don't know that we've said
4 anything different all along through that.
5 Now, if our affiliate begins to use EDI
6 for all these transactions and EDI/CORBA or uses
7 DataGate, absolutely, we would prefer the parity
8 comparison. The bottom line is, and we've
9 discussed this before, there is no way to do it.
10 And the other issue I have, changing
11 benchmarks, you know, if you look back over
12 history on these benchmarks, we've got a lot of
13 things to improve the performance of DataGate
14 and VERIGATE. And we've got these things down
15 to where they're performing well, and simply to
16 change a benchmark because our performance has
17 improved significantly seems to be not the
18 purpose of the way these were established
19 initially. Just because our performance is
20 better than the benchmark, which the benchmarks
21 were established to provide CLECs a meaningful
22 opportunity to compete, doesn't mean that the
23 benchmark should automatically be lowered.
24 MS. CHAMBERS: Julie Chambers with
25 AT&T. And I think I've heard you say

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1 previously, Randy, that sometimes benchmarks may
2 need to be not lowered but, in fact, you know,
3 increased based on performance. So looking at
4 the data, I think is what I hear MCI requesting
5 a look at the benchmarks to see, you know, is
6 this really the appropriate benchmark given that
7 there's not a parity comparison.
8 And one thing we -- just a caveat -- I
9 know this has been said in the DSL discussions
10 as well. There is some concern about, you know,
11 a parity comparison with Southwestern Bell's
12 data affiliate rather than its retail operations
13 given that there's a lot of unknowns about how
14 the affiliate is going to be operating, and I
15 think that's been discussed, as I said, in the
16 DSL workshop. But until there's some history
17 there, I don't think that that should just be an
18 assumption that we would be, you know, agreeable
19 to having that as a comparison rather than a
20 parity comparison to Southwestern Bell's retail
21 operations.
22 MR. DYSART: But the bottom line,
23 and we can talk about this until the cows come
24 home, but the bottom line is EASE and DataGate
25 and VERIGATE and EDI/CORBA are different,

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1 inherently different. And you can cut it any
2 way you want to cut it, but there's no way to
3 get that parity comparison.
4 MS. NELSON: And if there are --
5 and I guess from a staff standpoint, if there
6 are measures that Southwestern Bell has not met
7 or has not met for the past three or four months
8 benchmarks, are the CLECs going to be willing to
9 go with the historic performance there and say
10 the benchmarks should be -- the time should be
11 increased?
12 MR. SRINIVASA: Or lowered,
13 whatever is appropriate because they were not
14 able to meet it.
15 MS. CHAMBERS: No. I think my
16 point in even getting into this discussion was
17 that the goal would really be to look for a
18 parity of service.
19 MS. NELSON: Right. But you
20 commented on -- I guess staff is not anxious to
21 make work for itself. The whole purpose of
22 setting benchmarks is to give CLECs a meaningful
23 opportunity to compete. If we believe that
24 they're set in a way that gives CLECs a
25 meaningful opportunity to compete, it seems to

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1 me they could be revisited for two reasons. One
2 would be you say these are not giving us a
3 meaningful opportunity to compete for this
4 reason; or Southwestern Bell could say, "We
5 accept this benchmark in a way that we can never
6 meet it because we were just sort of shooting in
7 the dark when we said it." And what I'm saying
8 is that I haven't really heard anything from you
9 today telling us that the current benchmarks
10 don't give you a meaningful opportunity to
11 compete, nor have I heard you acknowledge that
12 in certain instances we may have set them too
13 high and they need to be adjusted downward or
14 upward depending on the perspective.
15 Mr. Cowlshaw.

16 MR. COWLISHAW: Your Honor, I
17 don't know that AT&T, maybe outside of the one
18 measure that Nara just talked about where we
19 have a fill-in-the-blank issue, that we have any
20 particular benchmark change proposals to make
21 today. I do think it's been our focus over time
22 that these would migrate to a parity measure,
23 and we had a specific proposal on the table.

24 It is certainly true that Southwestern
25 Bell does these exact same preorder queries. We

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1 have had this argument for three years now that
2 because they do it through a somewhat different
3 architected system that practically it's
4 difficult to measure the parity comparison. My
5 understanding of where we are is that the
6 Commission made a decision that administratively
7 it thought it could get to satisfying the
8 meaningful opportunity to compete standard
9 without spending more resources on or requiring
10 Southwestern Bell to spend more resources on
11 what would it take to get to the parity
12 comparison.

13 And, personally, I don't think we --
14 what we say here unfortunately tends get
15 repeated in other places, and the fact that the
16 way these benchmarks got set -- again, I don't
17 know that we have any particular change proposed
18 today, but they were basically set on one day's
19 data. I don't and AT&T -- I don't think for the
20 record we can accept that they were set in a way
21 that actually targeted the meaningful
22 opportunity to compete in a deliberate standard.
23 We took one day's data, and those got turned
24 into benchmarks.

25 MR. SRINIVASA: Well, I believe

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1 that the benchmarks were set based on
2 Telcordia's capacity test. And the rationale
3 behind that was that one of the factors that
4 influenced the response time is the volume. You
5 know, the higher the volume, you can expect that
6 it takes longer to get a response time. That
7 being the case, if a capacity test was conducted
8 and if they were able to obtain the average
9 response times, that was the basis for setting
10 up the benchmarks, and that's what we used.

11 Now, the only benchmark that was not
12 established was for the PICC and the VERIGATE.
13 And that's what we're trying to get to.

14 MS. NELSON: Let's discuss that.

15 MR. SRINIVASA: And MCI proposed
16 changes to some of the current measures. Before
17 we get into that, I just wanted to address what
18 we had to do with the PICC for which we don't
19 have a benchmark at this point in time.

20 MCI is proposing 18.9 seconds, and
21 Southwestern Bell is proposing 24 seconds.
22 Looking at the historical data, you have never
23 reached 24 -- excuse me -- 28.

24 MR. DYSART: Right. How about 21?

25 MR. SRINIVASA: The average is

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1 about 19, 19.1, something in that range.

2 MR. DYSART: Well, if I look at
3 19.1, though, I don't make but two to three
4 months out of the collected data.

5 MR. SRINIVASA: That's why I said
6 the standard deviation is probably around two or
7 something like that. That's where your critical
8 Z kicks in.

9 MR. DYSART: Okay. You're saying
10 19.1. Yeah. We can go with 19.1.

11 MR. SRINIVASA: Okay.

12 MS. NELSON: MCI?

13 MS. EMCH: I'm sorry. I didn't
14 hear the answer.

15 MR. SRINIVASA: 19.1 for the PICC
16 and the VERIGATE.

17 MS. EMCH: This is Marsha Emch
18 with MCI WorldCom. We were just trying -- when
19 we calculated the 18.9, we were looking at
20 different set of months.

21 MR. SRINIVASA: Right. I was
22 looking until March.

23 MS. EMCH: 19.1 would be fine.

24 MS. NELSON: Thank you.

25 MR. SRINIVASA: Any of the

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1 other -- oh, yes, ma'am.
2 MS. MUDGE: I'll wait until you
3 get done. I just have a question about a
4 comment about the standard, but I'll wait until
5 you get done.
6 MR. SRINIVASA: Right. Until this
7 PICC is done, the one for which we don't have a
8 benchmark. Does AT&T have any comment on that?
9 MS. CHAMBERS: I just have a
10 question why VERIGATE would be less than EDI.
11 When you see the diagram, actually it's going
12 from VERIGATE to DataGate. I mean, I would
13 think that on these others, they're the same,
14 and why is there such a difference on the PICC?
15 MS. CHAMBERS: Wouldn't we just
16 make it the same as the 19 or 21?
17 MR. SRINIVASA: Well, let's see.
18 The DataGate performance, also, let's see what's
19 going on on that, because they are capturing
20 VERIGATE.
21 MR. COWLISHAW: It's the same.
22 JUDGE SRINIVASA: Can you hold on
23 one second? Yeah. It looks like your
24 DataGate --
25 JUDGE NELSON: Southwestern Bell

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1 has indicated that 19.1 for both would be fine.
2 MS. EMCH: This is Marsha Emch
3 with MCI WorldCom. When we're talking 19.1, are
4 we talking about as a straight 19.1, or are we
5 talking about putting a Z value on top of that,
6 which in fact doesn't make it 19.1, but some
7 amount higher than that?
8 JUDGE SRINIVASA: Well, that's a
9 separate issue, the critical Z. That has to do
10 with the random variation. If there was a
11 parity comparison, of course, the random
12 variation for that, you would apply the
13 critical Z. The benchmark is a substitute for
14 parity. And why shouldn't the critical Z apply
15 for that?
16 MS. EMCH: Because -- this is
17 Marsha Emch with MCI WorldCom. I mean, as we're
18 looking at the data, random variation is being
19 taken into consideration at the benchmark. I
20 mean, we're seeing things at 15, 17, 18. MCI
21 WorldCom maintains that a random variation is
22 established by the benchmark being less than 100
23 percent, less than aggressive.
24 JUDGE SRINIVASA: Well, there is a
25 standard deviation associated with the averages

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1 there also. If you look at the standard
2 deviation, that means it could be plus or minus
3 that standard deviation. It still would mean
4 that it is still within the range of
5 reasonableness.
6 JUDGE NELSON: It seems like this
7 would go to the performance remedy plan
8 discussions. It's a broader issue that is
9 really not just determined by this one measure.
10 MR. WAKEFIELD: That's correct,
11 Your Honor. Jason Wakefield for MCI WorldCom.
12 We just wanted to make sure that when we were
13 saying 19.1 sounded reasonable, that that
14 included the caveat that we would not apply the
15 critical Z. And I recognize that the Commission
16 may take another approach, but I just wanted to
17 make sure our position was clear.
18 JUDGE NELSON: Okay. Do we have
19 agreement between 1 and 2 on what they cover and
20 whether -- 1 is now going to be diagnostic, and
21 2 is going to be the measure that has damages
22 associated with it?
23 MR. DYSART: We're fine with that.
24 Southwestern Bell is fine with that.
25 JUDGE SRINIVASA: Okay.

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1 JUDGE NELSON: Okay. Do we still
2 have issues outstanding regarding 1 and 2 other
3 than the --
4 MS. MUDGE: I do have a couple of
5 questions, if I could.
6 JUDGE NELSON: Let me just say
7 other than I know that we still have the issue
8 with regard to the benchmarks that MCI has
9 raised. Yes, Ms. Mudge.
10 MS. MUDGE: I guess the first
11 question I have is a clarification question.
12 Katherine Mudge on behalf of Rhythms. Your
13 Honor, with respect to the comments that you
14 made as to the Commission's intent in setting
15 these benchmarks, you noted that there were two
16 rationale for a CLEC to come in and seek -- or
17 Southwestern Bell to seek changing the
18 benchmark. With respect to the benchmarks that
19 are going to be set either in Performance
20 Measurement No. 1 or 2 regarding DSL orders
21 where, as I understand it, we have no historical
22 data, will the CLECs be under the same burden
23 when we come back for the next six-month review,
24 or will we all collectively be allowed really to
25 look at that data and -- do you understand what

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1 I'm saying?
2 JUDGE NELSON: I guess -- we don't
3 have any aversion to looking at the data, but I
4 haven't heard a compelling reason why -- with
5 reference to 1, why the standards that we've set
6 aren't working. So that's all I'm saying is --
7 MS. MUDGE: Okay.
8 JUDGE NELSON: Yes, if you think
9 that we set them now based on some preliminary
10 data and, you know, six months down the line it
11 looks like the real data is really far off --
12 what I'm hearing on this other data -- and
13 certainly I could be persuaded otherwise, but
14 I'm not hearing that it's way far off. In fact,
15 what I heard from Southwestern Bell was if we
16 accepted the ones that MCI was advocating, that
17 they would meet 50 percent of them. That tells
18 me that the ones we initially set weren't that
19 far off. So, no, the assumption is not that we
20 couldn't revisit those looking at the data.
21 MS. MUDGE: And the reason, of
22 course, I ask obviously -- and I realize we're
23 going to get into this tomorrow. But it's my
24 understanding that the DSL benchmarks that
25 Southwestern Bell has proposed -- I mean, in

1 different. We don't have any information to
2 base them on. And I think it's only prudent to
3 go back and take a look at it.
4 MS. MUDGE: Thank you very much.
5 JUDGE NELSON: As long as you're
6 willing to go both ways in terms of what the
7 data shows.
8 MS. MUDGE: Well, since we haven't
9 seen the data yet, I don't know what the issue
10 is. Now, with respect to Performance
11 Measurement No. 2, we had asked -- understanding
12 that Southwestern Bell was thinking about
13 eliminating this, but now it's not going to be,
14 and it's going to be the damage one, if they had
15 specific proposals on DSL -- and I realize again
16 you could have that discussion tomorrow, but I
17 was hoping we might get that today so that at
18 least I could visit with the clients to
19 determine if we had any issues with respect
20 to --
21 JUDGE NELSON: Mr. Dysart.
22 MR. DYSART: This is Randy Dysart,
23 Southwestern Bell. We sort of got tied up in
24 these other things and quite frankly didn't have
25 time. If we can get those tonight and get that

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1 actuality, we don't know where they come from.
2 And I know we'll talk about that tomorrow. But
3 I wanted to make sure I understood, sort of
4 going in, you know, what the expectation was
5 with respect to the six-month review for
6 benchmarks that were going to be set on an
7 interim basis with diagnostic purposes only
8 because there's no other historical data to use
9 it. And I see that differently than the ones
10 that everybody else in this room has set a year
11 or two years ago.
12 JUDGE NELSON: Right.
13 MS. MUDGE: So that's the reason
14 I'm asking for the clarification. So, then,
15 it's my understanding that with respect to the
16 DSL situation, the Commission would be --
17 because they are on an interim basis, there
18 would be an expectation that we would come back
19 and substantively review those benchmarks with
20 respect to the -- in looking at the historical
21 data.
22 JUDGE NELSON: Right. Mr. Dysart
23 is shaking his head.
24 MR. DYSART: This is Randy Dysart,
25 Southwestern Bell. I agree. These are

1 to you first thing in the morning. I apologize,
2 but that's probably the best we can do.
3 JUDGE NELSON: Ms. Mudge.
4 MS. MUDGE: I guess I'm going to
5 have to live with that. Thank you, Judge.
6 Randy, will they be based on the same number of
7 seconds that you proposed in Performance
8 Measurement No. 1, but you'll just have to look
9 at the percentages?
10 MR. DYSART: Yes.
11 MS. MUDGE: Thank you.
12 JUDGE SRINIVASA: Again, for
13 the -- for No. 2, now that this is the one which
14 is going to carry the assessment and damages, we
15 do not have a percentile for VERIGATE.
16 MR. DYSART: Okay.
17 MS. CULLEN: I'm sorry again. We
18 didn't propose a benchmark here since we were
19 hoping to eliminate --
20 JUDGE SRINIVASA: You were
21 proposing to eliminate it. That's fine. I
22 understand that. You do not have any historical
23 data either.
24 MS. CULLEN: Right. And that's
25 because without an 80 and a 90, you can't say

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1 what made it into where.
2 MR. DYSART: We would just like to
3 get back with you on the 80, 90.
4 MS. CULLEN: And the 90, 95.
5 MR. DYSART: Yeah, and the 90, 95
6 percent.
7 JUDGE NELSON: Okay.
8 MS. EMCH: This is Marsha Emch
9 with MCI WorldCom. Maybe I can sum up the
10 benchmark discussion that my colleague just
11 raised. The reason why we were and are
12 proposing to relook at the benchmarks is it's my
13 understanding that these benchmarks were, in
14 fact, created based on systems and processes in
15 1999, and the benchmark was developed because of
16 that. I just heard about five minutes earlier
17 Randy Dysart say that they have in fact made
18 improvements and changes to their systems and
19 processes which now, you know, reflects a better
20 performance. So my question is, well, oh, so
21 these benchmarks that were, in 1999, old
22 systems, old processes, giving us a meaningful
23 opportunity to compete may not -- and I would
24 contend that they do not -- no longer give us
25 that meaningful opportunity to compete under the

1 JUDGE SRINIVASA: So you are, I
2 believe, stating that it could cut both ways.
3 It is possible?
4 MS. EMCH: Yes. MCI recognizes it
5 can cut both ways.
6 JUDGE NELSON: Okay. I think with
7 Southwestern Bell -- well, two questions, I
8 guess. One, is this something that Southwestern
9 Bell and MCI and other CLECs could explore
10 off-line is the first question. The second
11 question is would it be more appropriate to
12 revisit it at the six-month review -- the next
13 six-month review.
14 MR. DYSART: This is Randy Dysart,
15 Southwestern Bell. I guess we could talk about
16 it with MCI and AT&T. I think it's always
17 subject to taking a look at. But the argument
18 that I heard from MCI was that the processes
19 were different and that our improvement of
20 performance in some way would affect their
21 meaningful opportunity to compete. And if at
22 the time -- if we've improved, I mean, that --
23 that is something we did to make the performance
24 better.
25 Now, if we lower the benchmarks -- I

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1 new systems of processes as changed, and hence,
2 our proposal of at least looking at data for the
3 past six months to see were these benchmarks on
4 target or not. You know, for years -- I
5 understand go back to old LCOG, local
6 competition users group, CLECs have been looking
7 for data and having a hard time finding it. So,
8 therefore, CLECs just got together and said, "If
9 we were an efficient ILEC, how long would it
0 take us?"
1 I mean, MCI totally recognizes that
2 this is an evolving process. The benchmarks we
3 proposed before, Southwestern Bell may laugh at
4 it because it's impossible, but we didn't
5 necessarily know better. As we're learning
6 better, MCI WorldCom would be willing to take a
7 look at what Southwestern Bell has done in the
8 past six months. And I understand your point of
9 cutting both ways. You know, we want benchmarks
0 that give us meaningful opportunity to compete
1 based on the current systems and processes. And
2 therefore, inherently, you have to review
3 benchmarks from time to time. Maybe it's at the
4 next six-month review. I don't know that. But
5 that's our concern.

1 mean, is that an incentive for us to do what?
2 We've met the benchmarks. Service availability,
3 it started at 5.3 seconds. In March, it's 0.8.
4 Does that affect negatively your meaningful
5 opportunity to compete? I think not. So that
6 argument doesn't hold much weight with me. And
7 if you come and say, "I can't meet it because
8 your address verification is way too long,"
9 that's more compelling than, "Well, your
10 performance has been good, so I want to lower
11 your benchmark." That doesn't do much for me,
12 to be quite honest.
13 MS. EMCH: This is Marsha Emch
14 with MCI WorldCom. I guess thank you -- I mean,
15 you do raise some points. Particularly, we
16 don't want to have any process that's, in fact,
17 going to incent Southwestern Bell to have poorer
18 performance. And that's certainly -- I agree
19 with you. That's not our intention at all. I
20 guess when you look at a parity measure, as my
21 colleagues from AT&T were saying, you know,
22 process improvements are inherently captured in
23 the parity measures as well. It kind of cuts
24 both ways, too. As you improve, your parity
25 target for each month is going to be higher and

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1 more aggressive, as they don't improve -- and
2 they do worse -- I don't know. I guess I'm
3 saying the benchmarks that we're asking for is
4 to just meet real-time process improvements,
5 changes over time just like -- I mean, your
6 parity already does that. Your parity already
7 captures that in --
8 JUDGE NELSON: Okay. I think
9 we've heard enough on this issue, so let's move
10 on. Are we done with Performance Measures 1
11 through 5, or do we have additional areas?
12 MS. MUDGE: Judge Nelson, I just
13 have some questions about some of the
14 discussions that I think Ms. LaValle was
15 commenting on with respect to Performance -- I
16 think it was Performance Measurement No. 4, and
17 then there was one that I frankly couldn't tell
18 where it was. And I'm just trying to get
19 clarification.
20 (Laughter)
21 MS. MUDGE: That was nothing to do
22 with what Ms. LaValle said. I didn't take it
23 down well enough. I'm sure that's what it was.
24 It has nothing to do with the quality of the
25 presentation, I'm sure.

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1 JUDGE NELSON: Okay. On
2 Performance Measure 4 --
3 MS. MUDGE: My question, first of
4 all, dealt with -- Ms. LaValle was talking about
5 a -- are we talking about a new performance
6 measurement that would address the database
7 availability?
8 MS. LaVALLE: This is Kathleen
9 LaValle for AT&T. And as I understand it, it
10 stated it's going to be reported on a diagnostic
11 basis. We didn't get into the mechanics of
12 whether it would be a subsection. It would
13 still be posted on the Web site and received in
14 the reports, but I don't think we got into
15 should it become a 4.1. And, Randy, speak up if
16 you --
17 MR. DYSART: This is Randy Dysart.
18 I think it ought to be 4.1. It sounds like a
19 good number.
20 JUDGE NELSON: Okay.
21 JUDGE SRINIVASA: So you are going
22 to come up with a proposal similar to what we
23 have for --
24 MR. DYSART: Yes.
25 JUDGE NELSON: They specifically

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1 did say they didn't have language proposed,
2 so --
3 MS. MUDGE: Yes, ma'am. And I'm
4 just trying to make sure I understand, because
5 it will affect what we discuss tomorrow. So I'm
6 just trying to see if I can clarify this so
7 maybe we can move on. And with respect to what
8 would be included -- and Kathleen or Randy, help
9 me understand. One thing I understood was that
10 AT&T was suggesting that we have the list of
11 databases. Southwestern Bell said it preferred
12 to do it by preorder query. And I'd like to
13 find out if there was a meeting of the minds on
14 that because obviously our concept would be to
15 have specific databases listed and not just the
16 ones that Ms. LaValle mentioned. So, again, I'm
17 trying to find out if there was a meeting of the
18 minds so that that will help us discuss tomorrow
19 what --
20 JUDGE NELSON: My understanding
21 was that AT&T was comfortable with the
22 categories set out in PM 1, although you would
23 prefer to have databases.
24 MS. LaVALLE: I think what we
25 talked about was identifying what had been

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1 listed in PM 1, plus CLLI, which for some reason
2 is not in there, and that we would be fine with
3 identifying what they are today. But in
4 fairness to the comments that Southwestern Bell
5 made, if they have a new preorder requirement
6 put on them or they find a different way to
7 route it so that we really would want
8 information from a different database, it would
9 not be a static list. And what we identified so
10 far was PREMIS, LFACS, CRIS, SORD, and Loop Qual
11 thinking that PREMIS would pick up PICC and TN.
12 LFACS would pick up facilities issues, dispatch
13 required issues. CRIS would pick up service
14 availability, CLLI, and CSR. Then you've got
15 SORD. And then Loop Qual would pick up the loop
16 qualifications.
17 JUDGE SRINIVASA: Well, some of
18 the data CLECs -- I think it's going to be taken
19 up tomorrow -- have proposed other databases
20 such as LEAD/LEIS, TIRKS. I think it's going to
21 be discussed tomorrow.
22 MS. MUDGE: And that's fine. I
23 just wanted to see if there was -- I just
24 didn't -- it just didn't process quick enough,
25 Kathleen, as to whether or not there was an

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1 agreement that those specific databases would
2 somehow be listed in respect to the business
3 rule so that you identified specific ones. And
4 that helps me understand that.

5 MS. LaVALLE: I think for purposes
6 of reporting, what may make sense is -- at least
7 where we came out, that the categories might be,
8 according to the preorder query -- and
9 Southwestern Bell can put in what database that
10 is so that we'll know whether there's been a
11 change in the routing scheme.

12 MS. MUDGE: And the last question
13 I have is there was a comment made that with
14 respect to loop qualification, that Southwestern
15 Bell could make the comparison with its DSL
16 affiliate. Would that be in the context of the
17 report structure, so that we would have the DSL
18 affiliate's specific information? Or, again,
19 did I misinterpret that?

20 MR. DYSART: This is Randy Dysart.
21 I think it all goes to the fact that AT&T wants
22 a retail comparison. And I think our
23 contention is -- well, our contention is really
24 all we're going to have retail-wise would be
25 ASI. Now, I thought last time we talked about --

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1 at least for initially we're going to set a
2 benchmark. Then long term, we may use the
3 affiliate. And I guess from our perspective, if
4 it's a parity measurement, we would report that
5 to the CLECs. However, if it's not a parity
6 measurement in the benchmark, we would not. We
7 would report that information to the Commission
8 if they needed it.

9 JUDGE NELSON: Okay.

0 MS. MUDGE: Thank you.

1 JUDGE NELSON: Moving right along.

2 Are we ready to move to 6?

3 MS. McCALL: Cindy McCall, MCI
4 WorldCom, regarding Performance Measurement
5 No. 5, a clarifying question to Southwestern
6 Bell. The exclusions that you have listed here,
7 one in particular, access and interconnection
8 orders, are we to assume -- are we CLECs to
9 assume that what you're doing here is excluding
10 all ASRs from Measurement No. 5?

MR. DYSART: This is Randy Dysart.
Yeah. ASRs were never included in Measurement
No. 5, because it was to measure LSRs. Now, we
have agreed to work with Time Warner and MCI and
anyone else, because that issue is going to come

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1 up specifically and -- and Mr. Siegel had talked
2 about it for unbundled dedicated transports on
3 an ASR.

4 MS. McCALL: MCI WorldCom, Cindy
5 McCall. MCI WorldCom would like to introduce a
6 concern that probably could be addressed
7 tomorrow, which is Project Pronto. And the
8 CLECs have only been able to attend one session
9 where they were given a presentation at a very
10 high level that hints at a process for ordering
11 that involves both ASRs and LSRs. And we don't
12 have enough information at this point in time to
13 determine if the requirement of submitting ASRs
14 and LSRs would preclude from capturing the ASRs
15 in this measurement. And so I'm sure we can
16 address that tomorrow, but we would like to
17 introduce that concern.

18 MS. DILLARD: This is Maria
19 Dillard. If there's changes such as that, I
20 think I am aware of something that you're
21 talking about. If there's ASRs required for any
22 type of order activity from the local CLECs,
23 then we would consider that as a measure as part
24 of the FOC, which is what we agreed to do with
25 the unbundled dedicated transport that's

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1 submitted on an ASR -- interconnection trunks
2 will look at that's submitted on an ASR. And
3 if we have that situation for any other orders
4 that you're submitting, then we'll look at that
5 as well.

6 MS. McCALL: But it's not going to
7 be reported in PM No. 5?

8 MR. DYSART: This is Randy Dysart.
9 It may. We may make it 5.2.2 or something. But
10 it will be included somewhere in PM 5, because
11 it seems like what we're wanting to do is bring
12 all FOCs into 5 in some way.

13 MS. McCALL: Okay.

14 MR. DYSART: We'll figure
15 something out.

16 MS. McCALL: Okay. That was our
17 concern. We just didn't have enough information
18 yet on Project Pronto.

19 MR. DYSART: Well, I don't either.

20 MR. KAGELE: This is Tim Kagele,
21 Time Warner. The point I made earlier about the
22 access reference was anything that was ordered
23 on an ASR out of an access tariff was the issue.
24 And that I understood not to be included as part
25 of this proceeding. So I just wanted to clarify.

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1 that remark as well. And I do support my
2 colleague at MCI's comment relative to services
3 that may fall under an ASR requirement as part
4 of Project Pronto.
5 MS. MUDGE: May I ask a process
6 question?
7 JUDGE NELSON: Yes.
8 MS. MUDGE: I hear Southwestern
9 Bell stating that it's willing to work on
10 identifying what ASRs might have to be ordered
11 for local service. I can appreciate that. My
12 question is process in terms of how does that --
13 how do those discussions then get put in this
14 performance measurement before the Commission
15 approves it? In other words, I understand
16 Southwestern Bell says, well, it will work with
17 IP Communications or it would work with MCI.
18 I'm trying to figure out where that then gets
19 put on a piece of paper, not as a separate
20 measurement, but as a better definition of the
21 exclusion of access orders.
22 JUDGE NELSON: They're going to
23 report back, and then we'll have the results of
24 that report and determine where it needs to go
25 on the performance measures.

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1 MS. MUDGE: Okay. Thank you.
2 JUDGE SRINIVASA: Okay. 5.1 is
3 going to be taken up tomorrow, because it has to
4 do with DSL.
5 JUDGE NELSON: Okay. Let's go
6 ahead -- at this time point it seems like a good
7 point to take a ten-minute break. So be back
8 here at 3:30, and we're going to make it through
9 the next --
10 JUDGE SRINIVASA: Seven measures
11 before 5:00.
12 JUDGE NELSON: Before 5:00. So
13 wear your running shoes.
14 (Recess: 3:21 p.m. to 3:46 p.m.)
15 JUDGE NELSON: Okay. We're going
16 to move on. We're going to give you some future
17 sessions by the end of today. We're still
18 trying to work out one day. And we'll give you
19 those prior to leaving today. Let's go to PM 6.
20 And Southwestern Bell is proposing to eliminate
21 that. Could you discuss it?
22 MR. DYSART: Yes. This is Randy
23 Dysart, Southwestern Bell. I think it's kind of
24 a duplicate of 5, however I think in -- this may
25 be an appropriate place to put the diagnostic

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1 for our earlier discussions to address the three
2 different types of methods like
3 electronic-electronic, electronic-manual,
4 manual-manual. This may be an appropriate place
5 to modify 6 to incorporate that diagnostic.
6 JUDGE SRINIVASA: And do away with
7 the average?
8 MR. DYSART: No. It would still
9 be an average. But it simply -- we'll break it
10 down in different categories to address AT&T's
11 request and Time Warner and collect data on it
12 to later, maybe after six months, establish a
13 benchmark based on some data, and see if we want
14 to do go PM 6 versus PM 5.
15 JUDGE SRINIVASA: Rather than
16 track the percentile, because we don't know what
17 the benchmark would be to track the percentile?
18 MR. DYSART: Right.
19 JUDGE SRINIVASA: Okay. I'm not
20 so sure I understood. So are you going back to
21 the revisions you had to 5 originally?
22 MR. DYSART: No. What I'm talking
23 about is the Time Warner and AT&T -- and I don't
24 know if anybody else. I'm not leaving you out
25 intentionally. But they wanted to track, for

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1 example, the electronic to electronic FOCs that
2 automatically went through the system. They
3 wanted some amount of minutes in there versus
4 the electronic-manual, which is a different time
5 frame. And then manual to manual is a different
6 time frame. And AT&T and us discussed this at
7 lunch, and I think we agreed to do a diagnostic
8 on this to gather the data so that we could make
9 maybe some proposal at the next six-month review
10 as do we want to go this direction or do we want
11 to continue with the PM 5 as we have today.
12 JUDGE SRINIVASA: Okay. And you
13 want to capture it on an average basis?
14 MR. DYSART: Right.
15 MR. COWLISHAW: I guess the
16 concern I have about that is we seem to be
17 sticking with FOC return being a benchmark
18 measure, not a parity measure. And as long as
19 we're in an environment where what we're dealing
20 with is a benchmark, then when we get to the end
21 of six months and we have this data that Randy
22 is talking about, I think -- if we're still
23 talking benchmarks, what AT&T is likely to want
24 to propose is going to be a measure that will in
25 there the form of a percent within -- 90 percent

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1 within X, 95 percent within X. Now, we can
2 maybe try and derive that from average data
3 somehow, but --
4 MR. DYSART: I'll collect it both
5 ways.
6 (Laughter)
7 MR. COWLISHAW: I'll be quiet.
8 MR. DYSART: I'm feeling real
9 generous. We'll collect it diagnostically both
10 ways.
11 JUDGE SRINIVASA: Then what value
12 of X are you choosing?
13 MS. LaVALLE: We had talked about
14 30 minutes for electronic-electronic -- we
15 proposed 10, and Southwestern Bell came back
16 with 30. Is that right, Randy?
17 MR. DYSART: Right.
18 MS. LaVALLE: And five hours for
19 manual.
20 JUDGE SRINIVASA: So you're going
21 to capture percent within 30 minutes and percent
22 within five hours?
23 MR. DYSART: Well, we hadn't
24 agreed on the time frame. But maybe what -- I'm
25 trying to figure out a good way to do this to be

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1 able to get some data to reflect it.
2 MR. COWLISHAW: Why don't we
3 capture just what 90 percent is?
4 MR. DYSART: That's probably a
5 good thing. We'll capture what 90 percent is.
6 JUDGE SRINIVASA: That way you'll
7 have --
8 MR. DYSART: Absolutely. That's a
9 good idea.
10 JUDGE SRINIVASA: Okay.
11 MS. LaVALLE: And what 95 percent
12 is.
13 MR. DYSART: Correct. We can
14 do -- yeah.
15 JUDGE SRINIVASA: Okay. Are there
16 any comments on Bell's proposal to modify 6 --
17 rather than eliminate it, that 6 is going to be
18 on a diagnostic basis, and they're going to
19 collect the disaggregated data that AT&T
20 proposed; electronic to electronic, electronic
21 to manual? I see you nodding your head. Does
22 that mean that you concur?
23 MR. KAGELE: That means that Time
24 Warner concurs, yes.
25 MS. CHAMBERS: Should we have Gary

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1 make the changes now or --
2 JUDGE SRINIVASA: Does he have
3 enough information to make the change yet?
4 MS. CHAMBERS: At least to remove
5 the "propose to eliminate."
6 MR. DYSART: Yeah, he can remove
7 that "propose to eliminate." I don't think --
8 in the interest of getting a lot of these done
9 by 5:00, I think we ought to just sweep right on
10 through here.
11 JUDGE NELSON: Right.
12 JUDGE SRINIVASA: Conceptually
13 everybody is in agreement.
14 MS. EMCH: This is Marsha Emch
15 with MCI WorldCom. I have a question which may
16 or may not relate to our Proposed Measure 5.2.
17 I know we skipped over that in going to 6. The
18 question is in Performance Measure No. 5, when
19 there are missing FOC -- the FOC is never issued
20 on an order, what happens to those orders? The
21 background for that is specifically I know in
22 New York we've had the experience where we are
23 missing -- where we put "submitted" in the LSR
24 and we never get the FOC. The order is
25 completed, and we still never got the FOC,

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1 therefore that's never captured here.
2 JUDGE SRINIVASA: Let's just go
3 back to 5.2. MCI is proposing 5.2.
4 MS. EMCH: Well, we're proposing
5 5.2 if, in fact, missing FOCs are not captured
6 in 5. So that was my question. If they're
7 captured somehow in 5, then we have no need to
8 propose 5.2. My question was just where are --
9 you know, orders that never receive a FOC but
10 complete, how are they captured in the current
11 performance measurements?
12 MR. DYSART: Well, currently PM 5
13 captures the time when the FOC is returned. So,
14 if for some reason a FOC is never returned,
15 obviously it can't be measured. But I don't
16 know if that ever occurs or -- I'd have to
17 have --
18 MS. DILLARD: Yeah. This is Maria
19 Dillard, Southwestern Bell. I'm not aware of
20 situations such as what you're talking about.
21 If we have had anything such as that and you've
22 brought it to our attention -- in a lot of cases
23 what we've identified is we may have returned a
24 reject or we may have returned a jeopardy,
25 and -- or you may have cancelled an order, so,

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1 therefore, a subsequent order would have been
2 issued. But if you have ever provided any
3 information on hearsay -- a situation where an
4 FOC was never returned and yet we have a
5 completion, we need that information, because
6 that should not have taken place.
7 MS. EMCH: I know in -- like I
8 said, my experiences in New York, this has
9 happened, and a business rule was added to the
10 FOC measure to say that for those orders which
11 complete and a FOC was never returned, the SOC
12 date is used as the FOC, then captured in the
13 measure. I can work with my colleague Cindy --
14 I think you've been dealing with Cindy -- to
15 bring those orders that don't have a FOC to your
16 attention as they occur. I guess my question
17 is, you know, what happens when -- are you
18 telling me that never happens, therefore it's
19 not going to be captured -- it couldn't be
20 captured because it never happens?
21 MS. DILLARD: To my knowledge,
22 whenever we've had a situation brought to our
23 attention such as that, we've identified that
24 something else was returned in its place. So it
25 may have been a reject was returned or a

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1 jeopardy was returned in that aspect. So, no,
2 I'm not aware of any situations as what you're
3 talking about.
4 MS. EMCH: And, therefore, when
5 the reject or the jeopardy is returned --
6 MS. DILLARD: A FOC would not be.
7 MS. EMCH: -- then a FOC would be
8 returned after we correct whatever is on -- so,
9 therefore, you're saying there will always be a
10 FOC returned?
11 MS. DILLARD: There will always be
12 an FOC if you have a good completed order.
13 MS. EMCH: Okay. I will go back
14 and try to get any specific examples that we
15 have to Texas.
16 MS. DILLARD: All right.
17 JUDGE NELSON: If you have
18 specific examples, please present them to
19 Southwestern Bell. And to the extent you can
20 come to some sort of an agreement on what the
21 situation is, then we can discuss the
22 performance measure in future sessions.
23 MS. EMCH: And just for my
24 clarification, would that be to you,
25 Ms. Dillard?

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1 MS. DILLARD: That can go directly
2 back to your counterpart within the LSC, and I
3 believe that's Mary Ann Eggen, or to the account
4 team.
5 MS. EGGEN: And as a point of
6 clarification --
7 JUDGE NELSON: Would you stand,
8 please?
9 MS. EGGEN: Yes.
10 THE REPORTER: What's your name?
11 MS. EGGEN: Mary Ann Eggen,
12 Southwestern Bell. Just as a point of
13 clarification, the process that Maria described
14 is absolutely correct. There can, at times, be
15 a case where there is a mismatch. You would
16 receive a SOC back before your FOC. That should
17 not happen. Our process is that we check our
18 mismatch reports. So it can occasionally
19 happen, however the process is that we check
20 those to prevent that from happening.
21 MS. EMCH: Thank you for verifying
22 that it can happen. In those cases that it
23 does, how is that captured in the performance
24 measurement, then, for the FOC?
25 MS. EGGEN: It would still go

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1 back -- I would think it would still be included
2 in PM 5 once we complete that FOC and send the
3 FOC back. We'll have to check that.
4 JUDGE NELSON: Yeah. Can we get
5 the factual understanding --
6 JUDGE SRINIVASA: Off-line.
7 JUDGE NELSON: -- some sort of
8 agreement off-line as to what the factual
9 situation is, and then bring it back to another
10 meeting?
11 MS. EGGEN: Absolutely. And this
12 is Mary Ann Eggen, Southwestern Bell. We will
13 talk to MCI about this off-line. In addition,
14 I'd like to add I'm not aware of this happening
15 in the SWBT region with MCI in particular. So,
16 if that does occur, please let us know.
17 JUDGE NELSON: Okay. Let's move
18 on to PM 7, which states that AT&T wants to
19 eliminate.
20 MS. CHAMBERS: Julie Chambers with
21 AT&T. I think this was based on a modification
22 to 7.1, which it appears that Southwestern Bell
23 agrees with.
24 JUDGE NELSON: Okay.
25 MS. CHAMBERS: And therefore has

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1 proposed to eliminate the measure.
2 JUDGE NELSON: So 7 and 8 are
3 eliminated?
4 MS. CHAMBERS: And the
5 justification for that is that the -- 7 and 8
6 tend to capture just pieces of the -- of the
7 process and not really the end to end process.
8 And that's really what we are trying to
9 measure.
10 JUDGE NELSON: Okay. Well, maybe
11 this is a silly question, but why wouldn't you
12 just replace 7 with what you have as 7.1 so that
13 you have a 7?
14 MR. DYSART: We can do that.
15 (Laughter)
16 JUDGE NELSON: Okay. I don't want
17 to make it any more complicated than it already
18 is, but --
19 MS. LaVALLE: It will make it
20 complicated when you look at --
21 MR. DYSART: Well, that's right.
22 JUDGE NELSON: It will? Okay.
23 Forget it, then. Just leave it --
24 MR. DYSART: The problem is
25 everybody already associates 7.1 with this one,

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1 so --
2 JUDGE NELSON: Okay. That's fine.
3 Just leave it the way you have it. Do we need
4 to discuss 7.1?
5 JUDGE SRINIVASA: Well, the DSL
6 CLECs have proposed something.
7 JUDGE NELSON: With regard to DSL.
8 MS. MUDGE: Do you want to talk
9 about it now?
10 JUDGE NELSON: Well, I think we
11 should wait until the other DSL CLECs are here.
12 MS. MUDGE: That's fine. We have
13 no objection to -- Judge Srinivasa, we have no
14 objection to the deletion of 7 and 8, as long as
15 7.1 is changed. Also, it is changed with
16 respect to the report structure, and we do think
17 we do need to talk about benchmark. But I think
18 those two aspects we can talk about tomorrow.
19 JUDGE SRINIVASA: Okay.
20 MR. DYSART: I think we probably
21 ought to go over the other changes, because
22 there are some other changes that we proposed.
23 JUDGE NELSON: Right. I agree.
24 JUDGE SRINIVASA: For 7.1?
25 MR. DYSART: Right. Do you want

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1 me -- I'll go over them. This is Randy Dysart,
2 Southwestern Bell. I think the first one in
3 here was exclusions, exclude weekends and
4 holidays. That's kind of a clarification issue.
5 Business rules, that's simply a clarification
6 issue. Under levels of disaggregation, this is
7 a change. We're proposing to -- instead of
8 report separately for EDI and LEX, report the
9 aggregate. That being because it's a -- it's
10 not particularly to EDI or LEX. It's actually a
11 process that that's just what's returned via
12 whatever mechanism you inputted, but it really
13 has nothing to do with the return of a service
14 order completion. And then we changed it to low
15 as recommended by AT&T. Then we changed the
16 benchmark from 97 to 95 percent or to reflect a
17 benchmark that's in FOC -- to stay closely
18 aligned with FOC. I believe those are our
19 changes that we discussed.
20 MS. EMCH: This is Marsha Emch
21 with MCI WorldCom. Just a clarification point.
22 The definition, percent mechanized completions
23 available within one day of work completion,
24 we're talking about the percent of completion
25 notifications that are available within the one

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1 day of work completion. Is that correct?
2 MR. DYSART: That's correct. And
3 we can add completion notifications there if
4 that would be helpful.
5 MS. EMCH: It might help the
6 business rule.
7 MR. DYSART: Gary, we'll change
8 that on the -- yeah, you've got it.
9 JUDGE SRINIVASA: Are there any
10 other comments?
11 MR. COWLISHAW: Yeah. If it's
12 important to Southwestern Bell to make the FOC
13 and the completion benchmark the same, we'd
14 agree to change the FOC. But, otherwise, we've
15 got a benchmark here which Southwestern Bell has
16 consistently met on the EDI side for at least
17 two or three months and has met on the LEX side
18 as well. So I don't see a justification for
19 relaxing the benchmark further from what it's
20 existing. I don't hear the pressing argument
21 for a change in the status quo there. And
22 again, when we aggregate this data -- the
23 assertion is made that the process is the same.
24 Different CLECs use -- and even groups of CLECs
25 appear to use EDI and LEX for different kinds of

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1 transactions, and so some of those kinds of
2 transactions may be more prone to have these
3 delays and completion notification return than
4 others. And if we aggregate them together, we
5 just added one step to the process of trying to
6 figure out what went wrong when we have a
7 problem or added a possibility of masking that
8 something is going wrong by putting all these
9 different transaction types together. And I
10 understand we're talking about interface, but at
11 least currently they reflect somewhat different
12 uses by different CLECs.

13 So we'd be inclined to leave the
14 reporting the way it is, disaggregated by LEX
15 and EDI, and to leave the benchmark at 97
16 percent. Southwestern Bell still has the
17 comfort zone provided by the 1.7 Z test under
18 the Commission's approach to the benchmarks over
19 and above this 97 percent that's in the existing
20 measure.

21 MS. LaVALLE: This is Kathleen
22 LaValle with AT&T. We met this issue before
23 with the reject issue, and we'll meet it again I
24 think with flow through. And our consistent
25 position is that we keep the levels of

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1 disaggregation on the interface basis that at
2 this point, it's not disaggregating further in
3 terms of order activity. It's one simple cut in
4 the data that helps us get more quickly to root
5 cause analysis where we see a problem
6 developing. So we would ask the Commission to
7 resist getting rid of what's really a very basic
8 cut in reporting.

9 MS. EMCH: This is Marsha Emch
10 with MCI WorldCom. Just to reiterate what we
11 said on the reject measurements, MCI WorldCom
12 uses both EDI and LEX, and we would like to see
13 these disaggregated and not aggregated as well.
14 We concur with AT&T.

15 MS. MUDGE: And, Judge Srinivasa,
16 Katherine Mudge on behalf of Rhythms. In the
17 April 13th and 14th discussions, we talked about
18 the process for some DSL carriers is different
19 in terms of their reliance on EDI versus LEX.
20 And so we believe it would be appropriate to
21 retain the levels of disaggregation, because
22 they do mean different things to different
23 carriers on the DSL side as well.

24 JUDGE SRINIVASA: Any other CLEC?

25 MR. SAUDER: This is T.J. Sauder

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1 with Birch Telecom. I'm looking at the data on
2 7.1 for the last few months, and there is a
3 significant difference between LEX and EDI. In
4 February, LEX was 92.9 and EDI was 98.6,
5 returned in one hour. So I think Birch concurs
6 with the rest of the CLECs in keeping this
7 aggregated.

8 JUDGE SRINIVASA: Well, the one
9 hour is eliminated to 7.1 within one day of work
10 completed. That being the case, the historical
11 data shows for the one day for the LEX, for the
12 last 12 months -- I don't believe you met the 97
13 percent for any month -- excuse me -- 95
14 percent. Excuse me. March was 95.5. And for
15 EDI, you've consistently met the requirement of
16 97 -- well, 97 percent. If that were to be the
17 benchmark, in March they wouldn't meet.

18 MS. LaVALLE: That's correct.

19 JUDGE SRINIVASA: So, if you
20 disaggregate it, should we set different
21 benchmarks for those? Again, do you want to set
22 a benchmark knowing that they can't meet it?

23 MR. SIEGEL: Well, I mean --
24 Howard Siegel. Two things --

25 JUDGE NELSON: Come to the front

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1 of the room.

2 MR. SIEGEL: I'm sorry. Howard
3 Siegel, IP Communications. Two points. One,
4 just to support keeping this aggregated, we
5 don't know what business model ASI may be using.
6 And to the extent they use a mixture of LEX and
7 EDI, it would be important to compare their LEX
8 performance versus what a DLC would be
9 receiving.

10 On the specific question, I think what
11 we would be looking for -- the fact that it
12 hasn't been met doesn't mean that it can't be
13 met. And what we would be looking for is some
14 sort of specific factual information -- I think
15 circumstances have changed from the Commission's
16 decision six months ago to support any change in
17 the benchmark.

18 JUDGE NELSON: Mr. Dysart.

19 JUDGE SRINIVASA: With the
20 critical Z, you're saying that they do, but
21 that's a separate issue. But -- well, in
22 setting the benchmark, you know, we're trying to
23 find out what's going on in the past also. Like
24 you said, it could cut both ways. And if we see
25 consistently -- you know, it ranges anywhere

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1 from 76.7 percent on up to 95.5. I don't know
2 if there's any correlation to order volume. I
3 see that as the order volumes went up,
4 performance improved from February to March.
5 So there's --
6 MR. WAKEFIELD: Your Honor, Jason
7 Wakefield on behalf of MCI WorldCom. This is an
8 instance where there is a parity, and the parity
9 is when Southwestern Bell sends the order in its
10 retail system, the FOC, in essence,
11 automatically occurs. And AT&T has discussed
12 this issue consistent --
13 JUDGE NELSON: This is the SOC,
14 service order completion.
15 MR. WAKEFIELD: My apologies.
16 Wrong issue.
17 MS. EMCH: This is Marsha Emch
18 with MCI WorldCom. Yes, you're saying it cuts
19 both ways, and I agree with you. As long as
20 you're not just cutting it on this Measure 7.1
21 and not the ones -- that's what I'm hearing. So
22 I just wanted to raise that.
23 JUDGE SRINIVASA: Yeah. That's
24 what --
25 MS. EMCH: Okay. I'm fine with

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1 that.
2 MR. DYSART: I surrender.
3 JUDGE NELSON: Okay.
4 MR. DYSART: I give up. We'll go
5 back to 97 percent and disaggregate the LEX and
6 EDI.
7 JUDGE NELSON: Okay. Thank you.
8 MR. DYSART: Sorry for all the
9 confusion. My mistake.
10 MS. MUDGE: And, Your Honors,
11 we'll talk about the report structure tomorrow.
12 Right?
13 JUDGE NELSON: Yes.
14 MS. MUDGE: Thank you.
15 JUDGE NELSON: And so do we have
16 anything else to discuss on 7.1?
17 (No response)
18 JUDGE NELSON: Okay. Let's move
19 on. 9 -- did we do 9 before? Okay. I believe
20 we did 9, 9.1 --
21 MS. CHAMBERS: Actually --
22 JUDGE SRINIVASA: 8 is eliminated.
23 MR. DYSART: Yeah. We just got a
24 couple off-line here. I think from last time we
25 didn't get some of the changes in 9. We got

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1 them real quick. If we can just get them added
2 in there, we'd be good to go.
3 JUDGE NELSON: That's fine. I
4 just want to get the parameters of what we did
5 last time.
6 MR. DYSART: Right.
7 JUDGE NELSON: We did 9, 9.1, 10,
8 and 10.1. Is that correct?
9 MR. DYSART: Yes.
10 JUDGE SRINIVASA: So make any
11 changes that you've since come to agreement on.
12 MR. DYSART: And I think we did
13 last time. It's just getting them in the
14 document.
15 MS. LaVALLE: Kathleen LaValle for
16 AT&T. I think it was just an issue of
17 implementing what had already been agreed to.
18 Here's what I believe that Southwestern Bell had
19 agreed to. For exclusions on No. 9, for percent
20 rejects, the exclusion would be notifications
21 returned post-FOC as electronic jeopardies. And
22 AT&T is fine with that, as long as the two
23 performance measures on jeopardies that AT&T is
24 proposing are adopted. The second change under
25 business rules, it would be -- it would read, "A

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1 reject is a notification," and then insert "to a
2 CLEC," continue "that an LSR received via LEX or
3 EDI did not pass LASR edit checks or other
4 edits," period, delete the remainder of the
5 text.
6 JUDGE SRINIVASA: To a CLEC. And
7 that's what you're adding. Right?
8 MS. LaVALLE: We just moved up
9 CLEC from the end of the sentence to the front
10 of the sentence and made it a little more
11 simple.
12 JUDGE SRINIVASA: Is that
13 agreeable?
14 MR. DYSART: Yeah. They're
15 working on it as we speak.
16 JUDGE SRINIVASA: Time Warner had
17 some --
18 MR. KAGELE: This is Tim Kagele,
19 Time Warner. Time Warner had proposed that we
20 also disaggregate the levels of disaggregation
21 in Metric No. 9 consistent with those levels
22 contained, at least from a category standpoint,
23 in Metric No. 5. So, for example, it would be
24 manually received, manually handled;
25 electronically received, manually handled; and

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1 electronically received, flow through. Time
2 Warner will agree to defer the discussion on
3 interconnection until a later time when we get
4 into those particular metrics. We had also
5 proposed just some clarifying language in the
6 definition section that manual interface
7 includes FACs.

8 JUDGE SRINIVASA: This is all --
9 this is all electronic -- electronic rejects.
10 Right?

11 MR. DYSART: Correct.

12 JUDGE SRINIVASA: Electronically
13 generated and electronically --

14 MR. DYSART: That's correct.

15 MS. LaVALLE: But you said rejects
16 is electronically generated and manually --
17 (Simultaneous discussion)

18 MS. LaVALLE: Generated and
19 electronically returned rejects.

20 MR. DYSART: Right. The key is
21 it's electronically generating.

22 MS. LaVALLE: No.

23 MR. DYSART: Not the reject
24 that --

25 (Simultaneous discussion)

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1 MR. DYSART: I'm sorry.
2 Electronically transmitted. The order entries
3 are either LEX or EDI.

4 MS. LaVALLE: Right. It's an LSR
5 sent electronically by EDI or LEX and it's a
6 reject, thus returned electronically, and it's
7 generated either electronically or manually.

8 JUDGE SRINIVASA: I'm lost. I
9 thought we had another measure where if an order
10 was electronically --

11 MR. DYSART: 10.1.

12 JUDGE SRINIVASA: 10, percent
13 mechanized. 10.1.

14 MS. LaVALLE: This is the one that
15 picks up all of the rejects for electronically
16 submitted LSRs, regardless of how they're
17 returned or how they're generated.

18 JUDGE SRINIVASA: So you're
19 eliminating 10.1?

20 MR. DYSART: No, no, no.

21 MS. LaVALLE: No.

22 MR. COWLISHAW: For some period of
23 time, the manually generated rejects that are
24 reported under 10.1 were not being reported
25 under 9. But some months ago -- and Kathleen

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1 will probably remember the exact month.

2 MS. LaVALLE: October.

3 MR. COWLISHAW: -- Southwestern

4 Bell began reporting 9 in a way that includes

5 the total universe of rejects on electronic

6 LSRs, both electronically generated and manually

7 generated. So what we have is an aggregate on

8 PM 9 of the rejects, and then we still have a

9 separate measure related to those manually

10 generated rejects in 10.1.

11 JUDGE SRINIVASA: So, in version

12 1.6, the Commission approved -- I believe

13 percent rejects, they said it's electronic

14 rejects. That means if it's electronically

15 generated and the LASR caught the edits, then it

16 was returned, so it was all electronic. So now

17 you're telling me that you are including -- even

18 though the order was electronically generated

19 and if it drops out because it's not MOGable,

20 you find that there is an error and you reject

21 it, and then either you send it through LASR GUI

22 or fax it to them --

23 MR. DYSART: We send it through

24 LASR GUI.

25 JUDGE SRINIVASA: Okay. Then

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1 you're capturing it here?

2 MR. DYSART: Correct.

3 JUDGE SRINIVASA: Okay.

4 MS. MUDGE: With that

5 understanding, though, Judge Srinivasa -- and

6 maybe I'm just not reading -- I don't read the

7 business rule to be as inclusive as what you

8 just described.

9 JUDGE SRINIVASA: "A reject is a

10 notification to a CLEC that an LSR received via

11 LEX or EDI did not pass LASR edit checks or

12 other edits." When you say "other edits," that

13 means the LASR didn't do the edit. It fell out

14 and you did a manual edit. That's what the

15 "other" means?

16 MR. DYSART: Correct.

17 MS. LaVALLE: Or it got picked up

18 by MOG edits.

19 MR. DYSART: Correct.

20 JUDGE SRINIVASA: Or MOG edits.

21 MR. DYSART: Well, yeah.

22 JUDGE SRINIVASA: And is returned

23 electronically. Okay.

24 MR. DYSART: Correct.

25 MS. LaVALLE: And I think the way

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1 it reads right now, it really doesn't matter how
2 it comes back.
3 MS. MUDGE: Okay.
4 MS. LaVALLE: It could be -- the
5 system could fail and you'd see some odd
6 instance where you needed a fax back. It's just
7 going to -- the key is if the LSR is sent
8 electronically over LEX or EDI.
9 MS. MUDGE: And I just read that
10 last phrase "and is returned electronically to
11 the CLEC."
12 MR. DYSART: We changed that.
13 MS. LaVALLE: It's not in here.
14 MR. COWLISHAW: That's one that
15 they just proposed to take out -- or agreed
16 between AT&T and Southwestern Bell.
17 MS. DILLARD: This is Maria
18 Dillard. I want to clarify that in the event we
19 would fax something back as a reject because a
20 system being down or something like that, we
21 would still return that back through the LASR
22 GUI system once the system was available to us.
23 So I don't know that we are capturing any faxed
24 back rejects in this particular measure.
25 MR. KAGELE: This is Tim Kagele,

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1 Time Warner. So, if I fax you an order and you
2 reject it -- the vehicle that I'm using to place
3 that order is a manual interface; i.e., fax.
4 Are you going to fax me that reject?
5 MS. DILLARD: Yes. You'll receive
6 a fax back.
7 MR. KAGELE: But this metric does
8 not capture that?
9 MS. DILLARD: No, it does not.
10 MR. KAGELE: Nor, I don't believe,
11 that there is another metric that captures that.
12 MS. DILLARD: No. And we talked
13 about that last week, I believe, where that is a
14 completely manual process, and the Commission
15 had agreed that we wouldn't be doing that -- we
16 wouldn't capture the manual.
17 JUDGE SRINIVASA: This is for the
18 LSR process only. It doesn't include
19 interconnection.
20 MR. KAGELE: I understand that. I
21 understand. It just seems to make sense, at
22 least to Time Warner, that if you're going to
23 capture -- if you're going to have a metric for
24 percent rejects, that it makes sense to capture
25 all of the interface methods that are used by

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1 the CLEC under one metric and maybe eliminate
2 some of the metrics that deal with the specific
3 format.
4 MR. DYSART: This is Randy Dysart,
5 Southwestern Bell. I guess it's our position
6 that currently everyone has access to the
7 ordering systems, LEX or EDI or EASE, and I
8 believe, based on the merger conditions, there's
9 no charge for that. If I'm wrong -- I don't
10 believe I am. So, really, it should be
11 everybody -- everybody has the ability to use
12 those interfaces and should be encouraged to use
13 that. Setting up a separate set of measurements
14 to look at manually submitted orders I don't
15 believe is in the best interest of trying to get
16 folks to move to a mechanized system.
17 JUDGE SRINIVASA: So this is still
18 a diagnostic measure?
19 MR. DYSART: Correct.
20 JUDGE SRINIVASA: Because the
21 rejects could be due to CLEC error, which is not
22 under your control?
23 MR. DYSART: It's Southwestern
24 Bell's position, with the exception of any error
25 that may occur, that all rejects are CLEC error.

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1 Because we would not transmit a reject back
2 unless we felt like it was a CLEC error.
3 MS. LaVALLE: And I --
4 MR. KAGELE: This is Tim Kagele
5 with Time Warner. Excuse me. I just will leave
6 it on the record that while we appreciate
7 Southwestern's making available the GUI, that is
8 not Time Warner's choice to use that. It may
9 not be the choice of other CLECs to use that
10 GUI. And if you're going to have a percent
11 reject metric, it ought to be all-inclusive of
12 the ordering interfaces that CLECs use, which
13 does include fax, which is manual. That was the
14 point that I was raising. It should distinguish
15 those categories similar to the distinctions
16 we're making for the FOC metric, PM 5.
17 MS. DILLARD: This is Maria
18 Dillard. When you look at Performance Measure 9
19 and it's talking about electronic, I think some
20 of what's being captured here is the edits. So
21 it's passing through edits and it's passing
22 through MOG, and then we're still rejecting it.
23 From the manual side, that is truly
24 inherent upon the CLEC to provide us the
25 information. And I might offer that for the

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1 manual information, you know, on the CLEC Web
2 site, we do provide a per CLEC chart, basically,
3 on the types of rejects that are being provided
4 back, that are being sent back, and the manual
5 information is out there. I would add that I do
6 not believe the interconnection type of rejects
7 are included, but I would be willing to look at
8 that and start providing that as well on the
9 Web, so that you could at least see what types
10 of rejects, from a CLEC perspective, that you
11 are encountering.
12 MR. DYSART: And if I might just
13 give a -- I would like to distinguish between a
14 FOC and a reject. A FOC is something that we
15 need to submit back to the CLEC so that they
16 know that we've accepted their order, which is
17 different than a reject, which is an error that
18 is returned to the CLEC, which for most cases is
19 an error on the LSR that the CLEC had
20 transmitted. So that's how I -- that's why I
21 distinguish where you would need to keep
22 reject -- you would need to keep the FOC
23 measurement for manually submitted, but not the
24 reject measurement.
25 JUDGE SRINIVASA: Okay.

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1 MS. CHAMBERS: Julie Chambers with
2 AT&T. Just to comment on one point that Randy
3 stated that all rejects -- you know, I
4 understand that's his -- or Southwestern Bell's
5 position, that the rejects are in the control of
6 the CLECs.
7 JUDGE NELSON: And you can just
8 say, "AT&T doesn't agree," and then we need to
9 move on.
10 MS. CHAMBERS: And that's exactly
11 what I was going to say.
12 (Laughter)
13 JUDGE NELSON: Okay.
14 MS. CHAMBERS: Don't worry.
15 JUDGE NELSON: I don't want to get
16 into that right now.
17 MS. CHAMBERS: No. I don't
18 either. I don't at all.
19 JUDGE SRINIVASA: Okay. Let's
20 move on to PM 10. 10 is -- well, did you add
21 anything? 9.1 is the DSL.
22 MR. SAUDER: There was a proposal
23 for Birch.
24 JUDGE NELSON: Okay. We already
25 did 9.1 earlier. Are we going back to 9.1

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1 again?
2 MR. SAUDER: There was just --
3 this is T.J. Sauder for Birch Telecom -- a
4 diagnostic measure to catch the number of
5 edits -- the number of rejects that are caught
6 by the LASR system as opposed to manually
7 rejected.
8 JUDGE NELSON: Okay. Is there
9 some reason we didn't discuss this the first
10 time we did 9.1?
11 JUDGE SRINIVASA: This is
12 diagnostic.
13 MR. DYSART: Well, we did discuss
14 this, and I believe --
15 JUDGE NELSON: Yes.
16 MR. DYSART: -- that it was -- if
17 you had the two pieces, you could calculate this
18 yourself, I think, as I recall.
19 JUDGE NELSON: Right. We've -- we
20 have finished -- there are some areas of these
21 performance measures we're not going to come to
22 agreement on.
23 MR. SAUDER: Okay.
24 JUDGE NELSON: We've finished 9.1.
25 I believe we've finished 10. We've finished

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1 10.1. We revisited these just for the sole
2 purpose of having those clarifications made on
3 the measures, but we certainly don't want to
4 revisit the measures or we will never be out of
5 here.
6 MR. SAUDER: Okay.
7 MR. DYSART: Also on 10 -- we do
8 agree on 10. We just have some clean-up we've
9 got to do on that.
10 JUDGE NELSON: Okay.
11 MR. DYSART: I think that
12 Ms. LaValle and I have agreed on those changes.
13 We can make those.
14 MS. CHAMBERS: And, actually, I
15 think they were -- Julie Chambers with AT&T.
16 They're already reflected on there.
17 MR. DYSART: Okay. Great.
18 MS. CHAMBERS: Angie made the
19 clarification where it's within one hour of
20 receipt of LSR.
21 MR. DYSART: Okay.
22 MS. CHAMBERS: And that's
23 reflected in the measurement title as well as
24 the definition.
25 MS. LaVALLE: This is Kathleen

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1 LaValle. We still have the continuing
2 disagreement about the disaggregation by
3 interface. It looks like here it is --
4 MR. DYSART: That's fine.
5 We'll --
6 MS. LaVALLE: And I think
7 Southwestern Bell now has agreed to maybe --
8 MR. DYSART: We'll give on that
9 one.
10 MS. LaVALLE: Okay. And then --
11 and this also has the cueing issue, but I think
12 we talked about some take-aways on that subject
13 as well. On 10.1, though, there is a very
14 serious issue that's crept into this version of
15 the draft that's really along the same lines as
16 one I think the staff rejected in real time
17 during our April 17th discussion. We would
18 object to the newly proposed exclusion about
19 excluding payments where there's a jump in the
20 average reject rate of a particular CLEC, and we
21 see no reason why -- in light of the staff's
22 observations last time that CLECs certainly have
23 incentives to reduce their reject rate, we would
24 object to this proposed change.
25 MR. DYSART: Can I clarify that

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1 one point? I think what we were instructed to
2 do is kind of go back and take a look at it. I
3 think this is much different than the previous
4 one. It's not 20 percent. It's 20 percentage
5 points.
6 MS. LaVALLE: It's the same.
7 MR. DYSART: No. For example, if
8 you're running a 20 percent reject rate and next
9 month you run a 40 percent reject rate, that's
0 what we're talking about, not 20 percent --
1 MS. LaVALLE: Right.
2 MR. DYSART: Okay.
3 MS. LaVALLE: No, we understand
4 the distinction. We just think it ought -- it
5 again goes back to keying something off of a
6 particular CLEC's reject rate, and we thought
7 the advice in that direction was pretty clear.
8 JUDGE SRINIVASA: Well, the issue
9 has to do with how quickly they send the rejects
0 back. If there are a large number of orders
1 that are being generated which are incorrect,
2 naturally it's going to take longer for them to
3 process and send the rejects back. And should
4 Southwestern Bell be paying for something that
5 the CLEC -- say, for example, an inexperienced

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1 CLEC may be generating a large number of reject
2 orders.
3 MS. LaVALLE: And this goes back
4 to the topic that I think we all agreed to just
5 say on the record that we disagreed with. Until
6 we get to a point that the data can be
7 disaggregated so we truly know who caused the
8 reject, I don't think it's fair to impose, in
9 effect, a penalty on the CLEC by holding the
10 penalty payment when that kind of analysis is
11 not yet available to us. For that reason, we
12 would propose that this not be adopted.
13 MS. DILLARD: This is Maria
14 Dillard, Southwestern Bell. I'm not sure what
15 you mean by the data would not be available to
16 you. What we are talking about is particular
17 situations where a CLEC's interface or something
18 that they do on their order activity has caused
19 them to send incorrect orders to us with large
20 spikes. In that situation, we will have
21 difficulty returning those back within the time
22 frame, and so it may be that a due date -- for
23 example, the CLEC may send information in late
24 in the day for that due date, and all of those
25 are going to fall out for us to reject back.

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1 And that could be, you know, 1,000 of them.
2 So, in that situation, what we're
3 talking about is where a process change has
4 taken place, you have a 20 percent, 25 percent,
5 normal average reject rate, and all of a sudden
6 you go to a 40 or 45 percent. We're just
7 indicating that Southwestern Bell does not feel
8 like we should be paying damages on such a
9 situation.
10 MS. LaVALLE: And could
11 Southwestern Bell agree that we would insert
12 that, "CLEC-caused rejects"? I mean, in other
13 words, it has to be based on a reject rate
14 that's calculated on a stand-alone, CLEC-caused
15 reject basis in order to, you know, even
16 consider that kind of a change, and are they
17 willing to do that kind of analysis?
18 MS. DILLARD: CLEC caused? Yes.
19 MS. CHAMBERS: Julie Chambers with
20 AT&T. It was my understanding that that
21 difference couldn't be captured in the data
22 related to rejects. I'm just curious why it can
23 here.
24 MS. DILLARD: Julie, I'm not sure
25 what you mean by that. We obviously provide

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1 back reject reason codes.

2 MR. DYSART: I think the

3 difference here is that we -- if we reject it,

4 we believe it's CLEC caused. If I don't --

5 there's no way for me to know, when I reject

6 it -- since I wouldn't reject it if I thought it

7 was my fault, I'm assuming everything that I

8 reject is CLEC caused.

9 MS. CHAMBERS: Julie Chambers with

10 AT&T. It's our experience that that is not

11 always the case and, therefore, is not reflected

12 in the data. And I also have another question.

13 This says "average reject rate by more than 20

14 percentage points on any given day." And

15 you're -- I thought I heard in the discussion of

16 your proposal that it was on a monthly basis,

17 that if the data, you know, spiked from 20 to 40

18 percent the next month. But this is specific to

19 any given day. I'm just curious how that could

20 be captured.

21 MS. DILLARD: Right. And what

22 we're proposing here -- if you look at the

23 language, it is indicating that on a six-month

24 average. So, in the event that you do have

25 several spikes during any given month, your

1 question is should Southwestern Bell, then, pay

2 damages based on the CLEC error?

3 MS. LaVALLE: Or should they be

4 excused from poor performance over the entire

5 month because on a single day a CLEC, you know,

6 sending a low volume of order had a bad passage

7 rate?

8 JUDGE NELSON: Let me --

9 MS. LaVALLE: So it's a mismatch

10 in principles, and we'd ask that the whole

11 concept be excluded. This doesn't really -- it

12 doesn't tie into what the actual number of

13 orders is to really tell you that Southwestern

14 Bell is having enough additional impact to

15 affect the return time. So I think it's a

16 solution that is not well-matched to the issue

17 they've drawn.

18 MS. DILLARD: Let me just clarify.

19 What we'd be willing to do, which is really what

20 we intended to do, is on those particular days

21 only, we would look at that, pull that data out

22 to see if we would have made the measurement for

23 that particular month. If we would, then we

24 wouldn't pay damages. If we still missed it, we

25 would pay.

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1 average is going to obviously increase in

2 percent of rejects. So what we're saying is if

3 you take the last six-month average -- and on

4 any given day, I do agree with you, that you

5 have a situation -- because that's what we've

6 experienced just a couple of times -- that we

7 would be asking to exclude those from payment.

8 JUDGE NELSON: Okay. Could you

9 modify that to include language, then, that it's

10 CLEC-caused rejects?

11 MS. LaVALLE: And, Your Honor,

12 we'd also request that we -- that they consider

13 taking out the "on any given day," that it would

14 have to be some sustained performance by the

15 CLEC over the month that caused this kind of an

16 exclusion to apply. Because a CLEC could have a

17 bad day, and it could have only sent five orders

18 that day. They may end up with a 100 percent

19 reject rate for that particular day.

20 JUDGE NELSON: Right. So --

21 MS. LaVALLE: And that may be 20

22 percent over their fabulous reject month for,

23 you know, the six months prior to that. So I

24 don't think --

25 JUDGE NELSON: I guess the

1 JUDGE SRINIVASA: That data is

2 going to be taken off of that reporting metric.

3 Right?

4 MS. DILLARD: Yes.

5 JUDGE SRINIVASA: For that

6 particular day?

7 MS. DILLARD: Just for that

8 particular spike period, couple of days, or

9 whatever day that is.

10 JUDGE NELSON: Okay. Would you --

11 MS. DILLARD: And again, I'm not

12 saying that this happens all the time, but it

13 has hit us pretty hard on a couple of occasions

14 where CLECs have made changes.

15 JUDGE NELSON: Would you modify

16 that, then, and bring it back consistent with

17 the discussions we've had?

18 MS. DILLARD: Yes, ma'am.

19 MS. CHAMBERS: This is Julie

20 Chambers with AT&T. Just one more thought

21 that -- and I think it's kind of to what

22 Kathleen was getting to. A CLEC that's just

23 entering, you know, the market is going --

24 potentially, as they ramp up, I mean, they're

25 going to have difficult, you know, days.

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1 JUDGE NELSON: Right. And the
2 question is does Southwestern Bell pay damages
3 based on a CLEC's --
4 JUDGE SRINIVASA: Because of you.
5 JUDGE NELSON: -- difficult days?
6 MS. CHAMBERS: Well, I think
7 that --
8 JUDGE NELSON: We have enough
9 information, really, to make the -- for staff to
10 make the cut if Southwestern Bell would revise
11 that performance measure.
12 MR. SIEGEL: If I could ask one
13 question. This is Howard Siegel, IP
14 Communications. We talked -- this has been
15 discussed as a new CLEC making mistakes, but for
16 this to apply, the CLEC already has been in
17 business for six months. And if you're talking
18 a new CLEC making mistakes, you're going -- even
19 if it's less than six months, you're going to be
20 comparing them to high error rate months. So
21 I'm not sure that that new CLEC example really
22 is applicable here.
23 JUDGE SRINIVASA: Well, this is,
24 again, 20 percent above their six-month average.
25 You know, the only reason why it would go above

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1 20 percent would be if there's a problem. If a
2 new CLEC is entering the market, the reject rate
3 may be higher, but subsequent months -- by
4 experience, it is going to go lower. And then
5 we have a 20 percent on top of that. It's got
6 to exceed the average by 20 percent. So I don't
7 see why -- you know, if that data is eliminated
8 for that particular day from the reporting
9 metric, why should that make a difference, if
0 they're going to change the language?
1 JUDGE NELSON: If it's a
2 CLEC-caused error. But let's just --
3 JUDGE SRINIVASA: If it's a
4 CLEC-caused error.
5 JUDGE NELSON: Let's just have
6 Southwestern Bell revise the language. We
7 understand the position of the parties. Staff
8 will make a cut and recommend to the
9 Commissioners --
0 MR. SIEGEL: If I could point out
1 one other point. Just -- and I'm not sure how
2 you would work this into the performance
3 measure, but you could have a problem with LASR,
4 for example, and every CLEC may have an error
5 spike that one day because LASR was

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1 malfunctioning.
2 JUDGE NELSON: Well, that's why
3 it's going to be CLEC caused.
4 MR. SIEGEL: It will appear as
5 CLEC caused, and so they're --
6 JUDGE NELSON: And you have the
7 right, under the performance measures, to do --
8 to get your --
9 JUDGE SRINIVASA: To audit.
10 JUDGE NELSON: -- raw data and, I
11 guess, look at the data. So just --
12 MR. SIEGEL: But Southwestern Bell
13 would be the only party that would have -- have
14 easy access to information to know, "Hey, this
15 was a broad-based CLEC impact." And I don't
16 know if that would be a very rare thing or not,
17 but it would -- but with a new release, that
18 sort of thing can happen. And it would seem
19 that for each CLEC to do that independently and
20 not know that it impacted every other CLEC
21 because they're not going to have that
22 information.
23 JUDGE SRINIVASA: Well, there's
24 all CLEC data.
25 MR. SIEGEL: Well, they will have

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1 all CLEC data.
2 MS. DILLARD: Right. I think that
3 would be reflected in the total percent rejects.
4 And obviously, as we're looking at it on a per
5 CLEC basis, if we see something like that, we
6 would not exclude it. I mean, that's not our
7 intent.
8 MS. CULLEN: This is Angie Cullen,
9 Southwestern Bell. Just to clarify, we're
10 talking about manual rejects here. So, if LASR
11 rejected it, in the long-run, that would
12 actually hurt us, because that would raise your
13 monthly reject, which would make it 20 percent
14 above that that we would have to meet to
15 exclude. So that's an area, if it was a LASR or
16 a system problem, that wouldn't even come into
17 play here except work against SWBT in some cases
18 regarding the future months' averages that it
19 would be compared against.
20 JUDGE NELSON: Right. And staff
21 is not suggesting that we're agreeing to this
22 measure. We're trying to get Southwestern
23 Bell's revision so we can see what the actual
24 proposed measure will be as it's modified.
25 MR. COWLISHAW: Can I just -- two

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1 clarifications for those revisions. One, is the
2 reject rate that we're comparing -- that's
3 proposed to be compared here, the 20 percentage
4 point jump in reject rate -- are you talking
5 about total reject rate or reject rate of the
6 kind of rejects that are captured by this
7 measure; that is, the manual rejects? We want
8 to --

9 MS. DILLARD: We're just talking
10 about those rejects that are captured under
11 10.1.

12 MR. COWLISHAW: Okay. And then --
13 also the comment -- the proposal is to exclude
14 from damages, but not to exclude from the
15 reported data?

16 MS. DILLARD: That's correct.
17 That way you still have the information.

18 JUDGE NELSON: So it would be
19 treated as diagnostic, then.

20 MR. COWLISHAW: To that extent.

21 JUDGE NELSON: To the extent that
22 those days are subtracted from the damage
23 calculations.

24 JUDGE SRINIVASA: So the LSR
25 rejects are not even included in here. Okay.

1 at the performance measurements. I mean, we
2 haven't been able to hit that. There's a couple
3 of issues revolved around that. I mean, I think
4 the benchmark may be a bit too stringent, but
5 also the levels -- there's no differentiation
6 between the type of product that's coming back.
7 For example, we don't -- simple res and bus is
8 the same as complex. So that -- what we're
9 proposing also is a disaggregation to give a
10 shorter period of time for simple res and bus,
11 still the five hours, but for complex, 24 hours,
12 to more align itself with the FOC type manual
13 handling that we have to do.

14 JUDGE SRINIVASA: Well, you may
15 have to change the title of the measurement
16 itself. It says, "Percent manual rejects
17 received electronically and returned within five
18 business hours."

19 MR. DYSART: We'd have to change
20 that to --

21 JUDGE SRINIVASA: X hours.

22 MR. DYSART: -- X if these are
23 accepted. Right.

24 MS. LaVALLE: If they're proposing
25 that the disaggregation is somehow going to

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1 JUDGE NELSON: Okay. Can we move
2 on to 10.2?

3 MS. LaVALLE: I'm sorry. We
4 didn't talk about the proposed change in the
5 benchmark. We'd have the same comment and ask
6 that Southwestern Bell would express the same,
7 hopefully, flexibility on keeping that at 97
8 percent.

9 MS. DILLARD: This is Maria
10 Dillard, Southwestern Bell. This is a little
11 different than the service order completion
12 measurement. What we're talking about here on
13 manual rejects, this is fall out to the local
14 service center, and these are -- this is the
15 information on the rejects going back to the
16 CLECs. So, in this case, we're looking to have
17 the same benchmark as what's provided in the FOC
18 measure.

19 MS. LaVALLE: And again, we don't
20 see, in the absence of any data or any
21 compelling point, why this particular benchmark
22 should be changed. We'd ask that it stay the
23 same.

24 MR. DYSART: This is Randy Dysart.
25 I think there's very compelling evidence. Look

1 improve their performance in what they're
2 reporting, then I don't understand why we're
3 also lowering the standard. So, again, we would
4 propose that it stay at 97 percent.

5 JUDGE NELSON: Right. And when
6 we're lowering some of these standards, staff is
7 going to be more inclined to want to look back
8 at MCI's changes on the other measures.

9 JUDGE SRINIVASA: Let me ask this.
10 Historic data includes both simple and complex,
11 Mr. Dysart?

12 MR. DYSART: I beg your pardon?

13 JUDGE SRINIVASA: Did the historic
14 data that you have reported since July, the
15 percent manual rejects received electronically
16 and returned within five hours -- I see that it
17 ranges anywhere from 59.5 percent, and the
18 highest you've reached is at 82.4, I believe.

19 MR. DYSART: It includes complex.

20 JUDGE SRINIVASA: So that's the
21 reason why it is lower?

22 MR. DYSART: Well, we believe
23 that's one of the reasons. Yes, that is a
24 reason.

25 MS. DILLARD: This is Maria

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1 Dillard, Southwestern Bell. We're basically
2 missing all of the complex orders going back.
3 What we're talking about, with an FOC, which is
4 typing the order and sending that back or
5 reviewing the order to reject it back, the same
6 time frame takes place in the local service
7 center. We are truly trying to mirror what the
8 FOC is showing, because it takes us that long to
9 do the review.

10 JUDGE SRINIVASA: Let me
11 understand this. This is again percent of --
12 the order could be electronically generated or
13 manually generated. Right? Complex will not go
14 through electronically. They almost always are
15 manual.

16 MS. DILLARD: They will fall out.
17 That's correct.

18 MS. LaVALLE: But it's submitted
19 electronically under this measure.

20 MS. DILLARD: That's correct.

21 JUDGE SRINIVASA: Oh, the reject
22 is submitted --

23 MS. LaVALLE: No. The LSR is
24 submitted electronically.

25 JUDGE SRINIVASA: Some of the

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1 process to order. Right? Is there a cut-off
2 for the number of loops they can order
3 electronically? Because it's going to fall out.
4 It won't flow through, I know. But what is the
5 limit on how many they can order that --

6 MS. EGGEN: We'll check.

7 MS. DILLARD: Yeah. I'm not sure
8 any of us know for sure. Let us check on that.

9 MS. LaVALLE: This is Kathleen
10 LaValle. Our understanding was that there is
11 some complex order activity that cannot be
12 submitted electronically because the OBF forms
13 hadn't been implemented yet and brought -- so
14 it's not just an issue of the number of lines,
15 but particular kinds of complex ordering.

16 JUDGE SRINIVASA: Can DID trunks
17 be ordered electronically?

18 MS. DILLARD: I believe they can.

19 MS. HAM: Yeah. They can be --
20 this is Liz Ham, Southwestern Bell. I believe
21 DID, Nara, can be ordered electronically. In
22 some instances, you're exactly right, all
23 complex orders -- or complex services cannot be
24 ordered electronically. But there are a subset
25 that can be. And we can get you a breakdown of

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1 complex orders cannot be submitted
2 electronically.

3 MS. LaVALLE: Some of them cannot,
4 but some of them can.

5 MS. EGGEN: Mary Ann Eggen,
6 Southwestern Bell. The complex orders are
7 submitted mechanically, and then they do fall
8 out. But we have to -- we only have five hours
9 to reject those complex orders back
0 mechanically.

1 JUDGE SRINIVASA: Not all complex
2 orders can be submitted mechanically. Correct?

3 MS. EGGEN: That's -- well --

4 JUDGE SRINIVASA: Is that only --
5 you know, you're saying complex business, UNE
6 loop, 50 plus. Can they order 50 plus loops
7 electronically?

8 MS. EGGEN: Yes, I believe that is
9 correct. This is Mary Ann Eggen.

10 JUDGE SRINIVASA: Up to 99 or --

11 MS. EGGEN: But they would fall
12 out. Many of them -- some of them would fall
13 out for manual handling.

14 JUDGE SRINIVASA: Okay. If it's
15 greater than 100, they have to use a manual

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1 what the LSRs can --

2 JUDGE SRINIVASA: Okay.

3 MS. HAM: I think it's even
4 greater than 99, but we'll double-check on that.

5 JUDGE SRINIVASA: Okay. So this
6 measurement captures only that subset of complex
7 orders that can be sent electronically, then.

8 MS. DILLARD: That's correct.

9 This is Maria Dillard, Southwestern Bell. I'd
10 like to propose that if we can come to agreement
11 on the levels of disaggregation in the time
12 frames, we'd be willing to maintain the
13 benchmark at 97 percent.

14 MR. SAUDER: T.J. Sauder with
15 Birch Telecom. A couple of performance
16 measurements back, I think we have a discrepancy
17 on what's considered simple business versus
18 complex and the fact that if hunting is added to
19 a line -- an order of three lines, it's
20 considered complex. I think some Southwestern
21 Bell people are checking on that.

22 But if we have an order with three
23 lines and it has hunting on it, we don't feel
24 that you should have 24 hours to return the
25 reject on that order. So we -- Birch does not

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1 feel comfortable with extending the provisioning
2 time by allowing 24 hours to return the reject.
3 JUDGE SRINIVASA: Let me ask you
4 this. In your retail environment, the hunt
5 groups -- you know, your customers who order
6 those -- are they considered simple or complex?
7 MS. DILLARD: We are mirroring
8 what the retail side has, and those would be
9 considered complex.
10 MS. HAM: Right. But that doesn't
11 mean that they can't be ordered electronically.
12 There are some hunting types that can't be
13 ordered through these, but some hunting types
14 can be ordered through business EASE. But they
15 are all complex.
16 MS. LaVALLE: And so I guess what
17 you have to look at is, you know, how quick a
18 reject comes back in that instance, and I'm not
19 sure that we have that data other than knowing
20 system-wise that it -- you know, that they have
21 improved -- or superior up front edit
22 capability.
23 MR. SIEGEL: As long as we're
24 talking disaggregation, then -- I don't know if
25 Your Honors want to discuss -- related to

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1 disaggregation, DSL is separated out and line
2 sharing is absent. I would have some concerns
3 with the way that's listed. If you want to
4 discuss it now because that's where your train
5 of thought is, that's fine, or that can wait
6 until tomorrow.
7 JUDGE NELSON: I think we should
8 do all DSL tomorrow.
9 MR. SAUDER: This is T.J. Sauder
10 with Birch Telecom. We'd be interested in
11 providing -- in Southwestern Bell providing the
12 information of what types of hunting orders are
13 considered to be able to flow through EASE and
14 which types are not.
15 MS. HAM: It's in my affidavit.
16 If you would check the affidavit on our 271,
17 it's in there, January the 10th.
18 MS. LaVALLE: Could we propose
19 that Southwestern Bell continue the status quo
20 with the 97 percent and the way that -- the
21 levels of disaggregation in terms of five hours,
22 but then present on a diagnostic basis so we can
23 get a better idea of what's going to fall into
24 the 24-hour clock by their separation of that
25 data before we actually implement that kind of a

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1 change?
2 MS. DILLARD: Maria Dillard,
3 Southwestern Bell. It's the same data that's
4 falling into that measurement today. It's the
5 complex activity.
6 MS. LaVALLE: But we're not able
7 to see, when you look at the reports, what you
8 would put in the 24-hour and what you would put
9 in the five-hour in terms of what you're calling
10 complex order activity. So it would give
11 everybody a chance to get an idea is that really
12 what's causing the performance to -- you know,
13 to not hit the benchmark or standard. So we
14 just propose that we gather the data -- much as
15 we've agreed on many topics where we really want
16 to implement a change, we've agreed to do an
17 updated diagnostic that --
18 JUDGE NELSON: Right. The CLECs
19 don't understand what is included in the 24-hour
20 clock in contrast to the five-hour clock. So,
21 if you could get data to everybody off-line --
22 MS. DILLARD: Does that mean that
23 Tier 1 would be diagnostic for the complex?
24 JUDGE SRINIVASA: Yes. At this
25 point in time, there will not be any damages

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1 associated with that.
2 MS. DILLARD: We'll agree to that.
3 MS. LaVALLE: I guess we were just
4 talking about keeping the measure like it was
5 but asking Southwestern Bell, on a diagnostic
6 basis, to split out how the data would look if
7 you reported it against five-hours and 24-hours
8 so we could better understand this issue and how
9 they're going to classify particular orders.
10 We're not agreeable to dropping the penalty.
11 JUDGE SRINIVASA: Well, if the
12 simple res and bus UNE loop -- if they're
13 capturing that -- 97 percent within five hours,
14 that's the benchmark. If they don't meet it,
15 they'll still pay damages for that. But for the
16 complex, which is taken off -- right now the way
17 they're reporting, they have mixed both complex
18 and simple res and bus. Only for the complex,
19 they'll report that on a disaggregated basis,
20 but there will not be any damages associated
21 with that -- just that disaggregated level.
22 MS. LaVALLE: Oh, as to the
23 disaggregated that's reported diagnostically.
24 Right. But there would still be the role of
25 disaggregated determination of penalties until

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1 we gather the data. I think that makes sense.
2 You would still implement the measure and report
3 it as it is today with the complex included in
4 the five-hour standard, and then just present it
5 on a diagnostic basis on a disaggregate with
6 there not being any consequence from a penalty
7 standpoint to how the separate -- against the
8 24-hour clock performance looked.

9 JUDGE SRINIVASA: Well, for the
10 last 12 months, every month they've missed it.
11 When I asked the question "Why is it that it is
12 so low" -- they're not even close to the
13 benchmark that we have established -- they said
14 it's because complex orders are mixed into that.

15 That's one of the reasons why we said
16 if the complex orders are taken out, are they
17 going to be able to meet the 97 percent for
18 simple res and bus and UNE loop one to 49? If
19 they don't, then they'll have to pay damages.
20 And for the complex, we know that it is much
21 less than 97. That's why --

22 MS. LaVALLE: One of our concerns
23 is that the explanation we've been given in the
24 past for the problems in certain months with
25 this did not have to do with complex and simple

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1 but instead had to do with explanations like
2 "Some of these rejects were so stale, they were
3 rejects left over from June and July that were
4 reported in December and January." So I don't
5 think we've got enough data to make that kind of
6 a switch and go to a 24-hour clock.

7 JUDGE NELSON: Okay. Can we get
8 the data before we finalize the measure?

9 MR. DYSART: I think we can.

0 JUDGE NELSON: Okay. Thank you.

1 MR. SIEGEL: And if I may suggest,
2 for data to be relevant to suggesting a change
3 in the measure, we would need retail data as
4 well to compare retail complex versus these
5 complex and to see if --

6 JUDGE SRINIVASA: It's a
7 benchmark.

8 MS. DILLARD: But we don't have a
9 retail reject -- they don't reject orders in the
0 retail side.

1 JUDGE NELSON: What he's saying is
2 he wants to see what's defined as complex
3 business, both on the retail and on the resale
4 side -- I mean the retail and on the wholesale
5 side.

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1 MR. SIEGEL: Well, actually, I
2 think Ms. Dillard actually had my thought
3 process right. But if there would be some sort
4 of comparable -- even if it's not something that
5 could be reproduced regularly on a systematic
6 performance measure, that at least it would show
7 "This is the kind of delays that we have on the
8 retail," even if it's not a reject, per se.
9 That would at least show that a change in
10 benchmark would still be parity.

11 MR. DYSART: This is Randy Dysart.
12 I think this goes back to the concept here of
13 parity. We don't reject the order -- these kind
14 of orders in our retail. There's no need to do
15 that. We're rejecting them now back to the CLEC
16 because there's another party involved. We
17 don't do that for retail. So there's nothing I
18 can give you that's going to show it takes X
19 hours to reject, because we don't reject it.

20 MS. LaVALLE: But there are error
21 notifications even in a retail environment,
22 right, Randy?

23 MR. DYSART: There are error
24 notifications in certain -- yeah.

25 (Simultaneous discussion)

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1 MR. DYSART: Error messages that
2 these folks do, but it's not rejecting it. Part
3 of the issue here is returning it to the CLECs
4 so that they can correct the LSR to get it back
5 in the system. It's different. It's not the
6 same thing.

7 JUDGE NELSON: Can we just get the
8 list of things that are included in each
9 category?

10 MR. DYSART: Absolutely.

11 JUDGE SRINIVASA: And also -- you
12 know, I don't know how far back you can go to
13 break it down. Apparently you are reporting
14 this data July through March. Can you separate
15 the complex orders for all of these months, or
16 is it only for a few months? Do you have the
17 raw data separate amount?

18 MR. DYSART: We think we can.

19 JUDGE NELSON: Okay. Let's try to
20 get 10.2 finished, and then I think we're going
21 to -- if we have time. This is an AT&T
22 proposal.

23 JUDGE SRINIVASA: This is on
24 jeopardy notice.

25 MS. CHAMBERS: Right. AT&T had